

Crime-1932

Speigner Scene Of Prison Riot; 1 Dead, 24 Shot 500 Convicts Rush Main Gate After One Prisoner Slain And 10 Captured Only One Escapes Three Others Caught With Bloodhounds; Local Boy Lone Fugitive Missing

One convict was slain and 24 were wounded by gunfire at Speigner Prison yesterday afternoon when 15 inmates broke through a wooden fence and 500 others rushed the main gate. Ten of those who went through the fence were captured by Warden A. B. Smith single-handed. Three more were tracked down by bloodhounds and one remained at liberty last night. The 15th, Carl Singleton, 18, sent up last August from Jefferson County, was killed.

Practically the whole prison population of 950 was out of doors in the prison enclosure at 4:45 p.m., when a small group detached itself from the rest and rushed a point in the wooden fence bounding the west side. The fence boards gave way before the impact and 15 men dived through the hole.

The point at which the fence was stormed was about midway between the guard shacks at the southwest and northwest corners. The guards shouted at the escaping prisoners to halt, and when their commands were ignored, opened fire. Singleton fell, wounded, and the others dashed across the field which separates the prison from the Birmingham highway on the west side.

Warden Stops Fleeing Men

Meanwhile, Warden Smith, having finished a late dinner, was emerging from the back door of his residence which faces the highway. He heard the shots, saw the knot of fleeing prisoners, saw Singleton fall. Advancing towards the fugitives with his hand on his revolver in a trousers pocket, he said:

"All right, boys. You can go back to prison several months ago when 10

in with me or you can go in like him." Then he looked at the wounded man on the ground and 10 of the prisoners decided to accompany the Warden peacefully. Four others spread out and kept going.

Three were later captured with bloodhounds and the last one is still at liberty.

While the Warden was gaining control of the situation without, all was confusion on the other side of the enclosure. Guards posted themselves at the hole in the fence to forestall further use of it by prisoners and others went outside to give attention to Singleton, who was not yet dead.

The main gate of the prison is on the north side and to gain easy access to it with their burden, the stretchers bearers went to the Birmingham highway and turned left into a side road upon which the prison faces. Suddenly, without warning, when the men bearing Singleton arrived at the gate, there was a concerted rush upon the opening participated in by more than half of the prison population.

Guards Open Fire

From their shacks at the northwest and northeast corners of the enclosures, guards commanded the gate with their shotguns. Their appeals to the prisoners to stand back were unheeded and they opened fire with B. B. shot. After 24 of the closely-massed convicts fell wounded, the assault on the gate was abandoned and order was restored.

News of the disturbance was immediately telephoned to William F. Feagin, director of the State Board of Administration, and extra officers, including Warden George P. Walls, of Kilby Prison, and Warden A. R. Dennison, of the Wetumpka Prison, were ordered to Speigner to help bring the situation under complete control. Three of the convict Department's surgeons also were placed on duty immediately, treating the wounded.

Roy Nolen and H. H. Stewart, directly in charge of the Convict Department, went to the prison as soon as they were notified of the disturbance. Mr. Nolen returned last night, but Mr. Stewart remained to continue the investigation of the breach.

Of the 24 wounded during the assault on the gate, only one was in a serious condition, according to department officials. He is a negro named John Hill, of Lee County.

Local Youth Escapes

The convict who had not been captured last night is Reuben Pittman, convicted of burglary in Montgomery County last May and sentenced to two years. He is 16 years old and his mother is Mrs. J. A. Keith of this city. Singleton, who was 18 years old, died in the prison hospital 15 minutes after he was shot. His mother, Mrs. Minnie

Singleton lives on a rural route out of Guntersville. He was convicted of grand larceny at Birmingham Aug. 6 and sentenced to one to two years.

Most of the 16 who broke through the fence had recently been transferred from the Wetumpka Prison. Pittman took part in a sensational escape from that

prisoners escape a guard.

Prison authorities do not believe there had been any premeditation of the uprising. It was believed, however, that Singleton and his associates had detected a weak board in the fence and had planned their break.

The sudden assault on the gate was ascribed to mob excitement engendered by the knowledge that a prisoner had been killed. None of the prison guards was injured. Prisoners were hastily directed to their cells and order was restored. The guard detail was increased last night, however, and it was indicated by officials of the department that considerable tenseness existed among the prison population.

Jordan Is Guilty, Says Jury: Will Seek New Trial Verdict Returned Sunday Morning; Sentence To Be Pronounced Today In Banker's Cell To Fight His Conviction Through High Courts, His Attorneys Indicate

E. D. Jordan, former State senator of the 16th district, yesterday was found guilty of soliciting or demanding a bribe for his influence in the passage of the Gadsden Sunday movie bill through the Senate, by a jury in the Montgomery Circuit Court.

The jury returned the verdict at 10 a. m. after having deliberated about four hours.

The verdict was received by Judge Walter B. Jones who was notified at his home that the jury was ready to report a few minutes before 10 a. m. The verdict, however, will not be entered upon the record of the court until today, when Jordan will be sentenced.

The former Senator was placed in the "banker's" cell at the county jail—a cell on the first floor of the jail with Southern exposure and adjoining bath—to await the call of the court this morning. He is to be sentenced about 10 a. m.

To Seek New Trial.

Defense counsel are expected to move him after the bill had passed the Senate immediately for a new trial and in the event the motion is denied counsel prob-

ably will give notice of an appeal to the Alabama Supreme Court. In either event it is probable that Jordan will be allowed bond and released from jail.

The jury received the case at 7:10 Saturday night and shortly thereafter was taken to dinner, returning about 9 p. m. It was nearly an hour, it was reported before the first ballot was taken, and the jurors on the first ballot were about evenly divided with a majority for conviction.

A second ballot taken before they were put to bed about 11 p. m. showed a greater majority for conviction. Resuming deliberations at 9 p. m. yesterday the jury announced it was ready to report within about 45 minutes.

Small of stature, slightly bald and wearing rimless spectacles Jordan came into the courtroom shortly after 9 a. m. yesterday. He was accompanied by his brother who had remained with him through the trial. He showed plainly the effects or the strain of the past two days. His eyes seemed weakened from loss of sleep. He paled perceptibly when the verdict was read and looked hopefully at his attorneys and his brother.

Penalty 2 to 10 Years

The penalty for soliciting a bribe or for bribery carries a minimum sentence of two years in the penitentiary and a maximum of 10 years.

Thus a Montgomery jury has written fins in another chapter of the life of the country boy from Chambers county who went to Etowah county to become a grocer and traveling salesman, and was chosen to represent Etowah county in the 1927 Legislature. In the 1930 election he was chosen Senator from the 16th district to represent Etowah and St. Clair counties.

The drama had its opening in Montgomery on Oct. 10 according to the testimony, when Jordan met Lee Castleberry in the Exchange Hotel and agreed to introduce a Sunday movie bill for Gadsden. Castleberry said Jordan asked for \$250 "expenses" to pass the bill through the Senate. Jordan testified he told Castleberry that \$250 would be needed to lobby the bill through the House, and denied he was to receive any of the money for putting the bill through the Senate.

Subsequently, according to Castleberry, the former Senator called him over the telephone and demanded payment of the money, saying the bill had passed the Senate. Castleberry declared that he had never promised to pay any money to Jordan but had told him he would take it up with his boss, owner of a chain of theaters. He testified that he informed Jordan he had not heard from his boss and couldn't pay him anything. Jordan, according to Castleberry, thereupon said he was sorry he had "fooled with it" and said he would kill the bill.

Charges Denied.

Jordan denied that he asked Castleberry for any money, but declared he had told him he had better get someone to lobby the bill through the House and that \$100 would be as much as would be needed at that stage of the game.

Representative Culver, of Etowah county, testified that Jordan came to him after the bill had passed the Senate and asked him to "hold-up" passage of the bill in the House saving "some-

people in Gadsden had not agreed up to their agreement."

Jordan denied he spoke to Culver of an agreement and declared he sought to kill the bill because of growing opposition to the measure in Gadsden. Culver then, according to the testimony, became suspicious and called Castleberry who told him Jordan had threatened to kill the bill unless he was paid some money.

Representatives Culver and Allen had the bill passed through the House and Senator Jordan then sought to kill the bill by requesting the Governor to veto it. Jordan gave as his reason that opposition against the measure had increased in Gadsden, whereupon the Representatives in the House informed the Governor of what they had learned regarding Jordan and Castleberry.

The Governor sent for Castleberry, who stated what had taken place in the presence of Jordan, and according to the testimony of the Governor, John Peach his legal adviser, and the two Etowah representatives, Jordan admitted that Castleberry's statement was true but insisted that Castleberry had agreed to pay the money when the bill "passed through the Senate door on its way to the House."

Jordan denied that he had admitted to the Governor that he was to receive the money for the "expense of getting the bill drawn and for stenographer hire."

Later the Senate rules committee investigated the Jordan-Castleberry affair and Senator Jordan resigned shortly after the Senate hearing began, charging that he had been made a "scapegoat" and "railroaded" out of the Senate. The rules committee continued the hearing and adopted a resolution condemning his conduct as being "reprehensible" and "repugnant."

The incident led Judge Walter B. Jones to charge the Montgomery grand jury on the laws against bribery with scathing denunciation of any person who would be guilty of such an offense. Jordan was indicted by the Montgomery grand jury and his trial opened last Friday.

Rise In Convict Population Puts

Tax Burden Up

All Prisons Overcrowded

With 3,000 Men Out On Temporary Paroles

Stringency Ahead

Expense Of Taking Care Of County Prisoners Is Growing Drain On State

The rapid growth of prison population in Alabama with the consequent increase in expense to the taxpayers is graphically portrayed in statistics released yesterday by William F. Feagin, director of the State Board of Administration, there being at this time 8,105 prisoners under supervision as against 2,465 at the same time in 1918.

But for the action of Gov. Miller in paroling many prisoners, there would now be just three times as many men and women in the State penitentiary as there is room for. At the present time there are twice as many in the various penitentiaries of the State as they were constructed to take care of.

A study of the statistical table in this article will show that the first real big jump in prison population came when the Legislature of 1927 saddled short term county prisoners on the State. While the statistical table does not show the cost of handling these county prisoners, other statements have been made in the past that show that the State loses a huge sum of money each year handling prisoners for the counties.

5,258 in Prisons

The table shows that there were on Sept. 30, a total of 5,258 prisoners actually in the penitentiary and working and that on Dec. 4 there were 2,396 prisoners under parole by Gov. Miller with a fixed date of return to the penitentiary. When these paroled prisoners return, and they must return or have their paroles extended, prisoners will have to sleep in tents because there is no place in the regularly established penitentiaries to house them.

While there is nothing in the statistical table released by Mr. Feagin to indicate it, the State of Alabama, and naturally the taxpayers, face a serious increase in the cost of maintaining the prison population when the Hawes-Cooper bill goes into effect in 1934 which prevents shipment of convict-made goods into States where they are prohibited.

Practically the only net money now earned by convicts is in the manufacture of goods which will be prohibited by that Federal act. And then the taxpayers will have to shoulder the burden.

Fiscal Stringency Ahead

To care for the 8,105 prisoners that are now under supervision by the State convict department, nearly 3,000 being out under temporary parole, the Legislature appropriated \$500,000. More than half of this \$500,000 must be used by the convict department to pay clerks' and sheriffs' fees and distillers' fees. That will leave \$250,000 a year to care for the State's convicts plus whatever they actually earn and with the Hawes-Cooper act going into effect soon, their earnings will be practically nothing.

The following statistical table was released by Mr. Feagin:

Average annual population of State and County prisoners, from Sept. 30, 1918, to Sept. 30, 1932:

Date	State	County	Total
1918	2465	...	2465
1919	2251	...	2251
1920	2334	...	2334
1921	2570	...	2570
1922	2988	...	2988
1923	2926	...	2926
1924	2899	...	2899
1925	3157	...	3157
1926	2876	...	2876
1927	3152	352	3504
1928	3674	384	4058
1929	4263	523	4786
1930	4380	759	5139
1931	4774	982	5756
1932	4852	663	5515

On temporary parole Sept. 30, 1932, with fixed date of return to the penitentiary: ..

State	274
County	1959

Total	2233
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Active prison population Sept. 30, 1932	5258
On temporary parole	2233

Total under supervision	7491
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On temporary parole Dec. 4, 1932, with fixed date of return to the penitentiary:

State	507
County	2389

Total	2896
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Active prison population Dec. 4, 1932	5209
On temporary parole	2896

Total under supervision	8105
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Negroes Sole Occupants Of Alabama Death House

MONTGOMERY, Ala., Feb. 4—(ANP)—Fourteen men, all colored, are awaiting their doom in the nice new death house at Kilby prison. This is the largest population the death house has ever had. In it the Negroes of Alabama are supreme.

Eight of the occupants of death cells are the Scottsboro victims, boys ranging in age from 14 to 20 years. An appeal for a new trial was made in behalf of them last week.

These boys are: Charlie Weems, Clarence Norris, Heywood Patterson, Olen Montgomery, Andrew Wright, Eugene Williams, Willie Roberson and Ozie Powell. These boys were all convicted of a criminal attack on two white girls.

The others in the black house of death are: Charlie Williams, Lee Ferguson, Dave Ballard, Isaac Mims, Percy Irvin and Robert Strickland.

All of the men have appeals pending before the Supreme Court except Charles Williams. He was given a death sentence for killing a colored woman.

Youth Attacked By 3 Negroes Near Atmore

ATMORE, ALA., Jan. 23. (Special)—J. B. Johnson, 18, of Sanford, Fla., was attacked by three negroes on the highway near here tonight, robbed of \$7 and his shoes, knocked in the head and left unconscious on the side of the road.

The youth was brought to Atmore by a passing motorist and regained consciousness shortly afterward. He told officers that he was on his way to Sanford when he met the three negroes about 10 miles from Bay Minette. After robbing him the negroes struck him over the head, he said.

County officers instigated a wide search for the three negroes.

Four Negroes To Plead For Lives

Hearing of the pleas for commutation of sentence, of Isaac Mims, Robert Strickland, Percy Irvin and Andrew Levert, negroes, condemned to execution in the electric chair at Kilby Prison on Friday, March 11, will be held before Gov. Miller and members of the State Board of Pardons, in the Governor's office at the capitol, Monday, March 7, beginning at 2:30 o'clock in the afternoon. Announcement of the hearing date and hour was made at the State executive Department yesterday.

Mims, Strickland and Irvin, were convicted in Lowndes County in connection with the same crime—Mims being found guilty of first degree murder, and the other two of highway robbery. The murder of which Mims was convicted was that of John Clark of Montgomery. Clark and a companion, Shirley Weaver, were riding an L. and N. Railroad freight train and as the train passed Ft. Deposit, were attacked by the three negroes.

Clark was shot and killed by Mims while he, Mims, assisted by Strickland and Irvin and another negro who has never been apprehended, were in the act of robbing both white men. Weaver was shot and dangerously wounded, but eventually recovered. Strickland and Irvin, who maintained at the time of their arrest and throughout their trials, that they had nothing to do with the murder of Clark, were found guilty of highway robbery, and also received the death penalty for that offense which is likewise a capital crime in Alabama.

Levert, the fourth condemned negro was convicted in Birmingham, and sentenced to death for robbery.

Traffic Violators Help Choke Police Blotter; 67 Collisions Listed

Traffic violators far outnumbered trespassers of the prohibition laws in Montgomery last month, a report from Capt. J. J. Antcliff, secretary of the chief of police, Col. W. P. Screws, commissioner of public safety, showed yesterday. Of 948 persons arrested by police in February, 408 were traffic law violators.

While the Police Department was campaigning to eliminate automobile accidents in the city, 67 persons

were placed under arrest on charges of collision. The same number of persons were charged with drunkenness.

White persons outnumbered negroes on the police dockets, with 543 white men arrested as compared to 298 negro men. Seventy-two white women were named on the blotter while only 35 negro women were arrested, the report showed. Col. Screws pointed out that the large number of traffic arrests accounted for the difference.

Two persons were arrested for robbery and two for burglary. Ten arrests were made on charges of burglary and grand larceny.

Fines in Recorder's Court for the month amounted to \$3,745 of which \$1,661.40 was collected. The remainder of the fines were served by prisoners unable to pay.

Execution Delayed On Negro's Appeal

With filing in the office of the Clerk of the Alabama Supreme Court yesterday, by counsel, of application for rehearing in the case of Andrew Levert, negro, under sentence of death for robbery, execution of death sentence, which was to have taken place on March 11, was suspended pending action by the high court on the application. Levert was convicted and sentenced in Jefferson County.

Three other condemned negroes—Isaac Mims, Robert Strickland and Percy Irvin, who will be executed at Kilby on March 11, unless Gov. Miller should interfere in their behalf, will be given a hearing on their applications for commutation of sentence, Monday afternoon at 2:30 o'clock, before the Governor and members of the State Pardon Board, in the Governor's office at the capitol.

All three negroes were convicted in Lowndes County—Mims of first degree murder, and Strickland and Irvin of highway robbery.

Negroes Testify They All Slept Quietly Through Fatal Holdup

Protesting his innocence of the murder and robbing of John Clark or the shooting and robbing of Shirley Weaver, Mims and Irvin crawled under the both white men, Robert Strickland testified yesterday afternoon before Gov. Miller and members of the State Board of Pardons, that he had no part in either crime. His statement to that effect was later corroborated by Isaac Mims and Percy Irvin, negro co-defendants of Strickland in the same case. Mims and Irvin threw up their hands that the only a few minutes elapsed before the Greenville chief of police came up and ordered them all to surrender, according to Strickland who said he immediately threw up his hands that the session when he was later captured some of highway robbery. All were sentenced to death. Friday, March 11 is the date set for their execution.

The murder and robbery took place aboard an L. and N. freight train, near Ft. Deposit, after nightfall about a year ago. Besides Mims, Strickland and Irvin, another negro, Otis Taylor, was also sought by officers in connection with the crime. Taylor, however, has never been apprehended. The three condemned negroes were brought before the Governor and the Pardon Board separately, at the hearing which convened in the chief executive's office at the capitol at 3 p.m. Strickland was first heard, and was represented during the proceedings by Luther Patrick of Birmingham, former Assistant Attorney General as counsel. Strickland, who claims his home is at Brewton, told of being laid off at a lumber mill where he was working, and of starting out to look for a job elsewhere but without success; of spending the night with Isaac Mims, in Montgomery where later Irvin and Taylor showed up; and of going to his home in Brewton, and after the other three negroes had left the house; and of finding when he got on a train that the other three negroes were already on board.

He told also of the white man, Weaver getting on the train with a suit case, as the train rolled through the Union Station at Montgomery. There were then five men in the car, a gondola loaded with gravel, according to Strickland. He said he dozed off to sleep and was awakened by the violent jerking of the car, but went back to sleep again. He was awakened the second time he said, by someone stepping on his ankle, and almost simultaneously he heard a gun fired and saw a flash from it. He then saw Mims, Irvin and Taylor in the act of robbing Weaver, he said. Strickland insisted he knew nothing at the time, of the fatal shooting and robbing of Clark which Mims, took part in another part of the train.

The four negroes remained on the train until it reached Greenville early the following morning. Irvin and Mims both had pistols, Strickland said. After getting off the train, Mims and Irvin he said, attempted to steal a motor truck, agreeing to take him, Strickland to Brewton for a dollar and a half, which he was to pay on arrival, after he had promised not to "tell on them."

Irvin maintained he had Strickland were asleep at the time, that they were awakened by the shooting, and that the shooting and robbing was done by Irvin and Taylor.

The testimony of all three men was taken under advisement. Recommendations as to commutation of sentence are expected to be made to the Governor by members of the Board of Pardons in each case, some time today or tomorrow.

Crime-1932

Negro Saved From Chair Pledges

'Not To Betray Trust Put In Me'

Expressing heartfelt thanks to Gov. Miller for sparing his life and to members of the State Board of Pardons for recommending that course of action, Mims was found guilty of murdering and Robert Strickland, Escambia County ne-robbering John Clark in another part of gro, whose sentence of death was com- the same train on which Weaver was mured to life imprisonment by the Gov-robbed and shot. Clark was also a white ernor less than 48 hours before the con- man and formerly made his home in demned man was to have been executed Montgomery. Strickland and Irvin were in the electric chair at Kilby Prison, convicted of assaulting and robbing wrote a letter to the Chief Executive on Weaver. All were sentenced to pay the the same afternoon he received the gladdeath penalty.

His letter read: "Hon. B. M. Miller, Your Excellency, "Dear Mr. Governor:

"I am so glad Your Honor until I can hardly write my many Thousand of thanks. You are one man That I never, never will forget as long as I live, and longer still because The Testimony and praise that I will tell about your wonderful Love and Justice until your good name shall live forever, even Though your Honor I am truly innocent I don't hold nothing against the Jury or any one because I happened to be in wrong company of men, which will be a lesson to me the longest day that I live. Because Your Honor, You are the Greatest Man in my life. None greater. You give me back my life and made my whole entire Family and friends happy.

Glowing Wishes

"May the Lord bless you in all of Your Great works and Noble Christian Hearted Deeds. As long as you live here on earth. I wish you could live for ever myself, but at the end of lifes Journey There's no other place but Heaven for the You. But your kind and Human Deed trocuted in Kilby Prison's death cell will stand and shine after you have gone early this morning. 3-11-32
You to your Heavenly Reward. I also thank The two negroes were Isaac Mims, the Members of the Pardon Board from convicted in Lowndes County of mur- the depths of my heart. May the Lord Bring Joy and much happiness to All of a freight train near Fort Deposit last them, and my many Thanks as my life March, and Percy Irvin, convicted of shooting and robbing another white man, Shirley Weaver, of Montgomery, aboard the freight train the same night.

"I will work hard and make the State a Honest and Trustworthy prisoner so the each man that spared my life will not regret it. I will hold in confidence all personal matters committed to my keeping and all affairs coming to my knowledge in line of my Duties. To work hard and obey all rules and Laws, and Loyal to the Officials and above all not to Betray the Trust That is put in me.

"May the Lord Bless Our Governor For ever and all the Officials.

"Sincerely,

(Signed) "Robert Strickland."

The letter was written in a clear, smooth and legible hand with few mistakes in grammar and none at all in spelling. For the word "and" and character "&" was frequently used by the prisoner. Strickland's letter of thanks for the mercy shown him, the first of its kind to be received at the executive department for many years, has been placed in the Governor's files.

Two Die For Crime

Convicted of shooting and robbing Shirley Weaver, a young white man, on board a moving freight train near Fort

self at 12:20:30. The second shock was applied at 12:22:30, lasting 30 seconds, and Irvin was declared dead at 12:26.

ONE OF NEGRO IRVING

SAVED FROM CHAIR

Robert Strickland's Sentence Is Commuted; Mims And

Irvin Must Die

Commuted to life imprisonment the death sentence of Robert Strickland, Gov. Miller yesterday denied applications for commutation of sentence of Isaac Mims and Percy Irvin, who will be executed in the electric chair at Kilby Prison early Friday morning.

Strickland, Mims and Irvin, all negroes, were convicted in Lowndes County and condemned to death, Mims for the murder of John Clark, a white man; and Strickland and Irvin of shooting and robbing Shirley Weaver, another white man whose home was in Montgomery. The murder and robbery took place on a L. & N. Railroad freight train, on which the negroes and the two white men were riding near Fort Deposit.

At hearings held last Monday afternoon at the capitol before the Governor and members of the State Board of Pardons, the three condemned negroes testified separately in their own behalf. Strickland stated he was asleep in a gondola car loaded with gravel, when he was awakened by someone stepping on his leg, and almost immediately heard the sound of a shot and the flash of a gun. Immediately thereafter, he said he saw Irvin and Mims robbing Weaver. He declared he had no part in the shooting or robbery, and knew nothing about the killing of Clark which it appears took place in a different part of the train, until later. In the robbing and shooting of Weaver, he declared Mims and Irvin were assisted by another negro, Otis Taylor, who escaped.

Claim Corroborated

Both Mims and Irvin corroborated the statement of Strickland that he had no part in the robbery of Weaver. Mims and Irvin each claimed he was asleep beside Strickland when Weaver was attacked and robbed; Mims stating Irvin and Taylor did it, and Irvin maintaining the crime was committed by Mims and Taylor. Mims said after shooting and robbing Weaver, that Irvin and Taylor left and went further back on the train, where the murder and robbing of Clark occurred. Irvin gave identically the same testimony as to Mims and Taylor.

On the morning following the murder and robbery, Mims and Irvin were arrested at Greenville by the chief of police, after they had gotten off the train and were attempting to make a getaway in a motor truck. Strickland who was with them and who said the other two negroes had promised to take him in the truck to his home at Brewton for \$1.50, ran when Mims attacked the officer, but was later caught some 18 miles from Greenville.

Board For Commutation

Atty Gen. Knight, Secretary of State Jarman and State Auditor Brandon unanimously recommended commutation for Strickland, but declined to make such recommendation in the other two cases.

In his order commuting the sentence, Gov. Miller said:

"Two of the persons interested and under sentence of death, who were present when the robbery was committed, each state that Robert Strickland took no active part in the robbery, but each state that he was present in the railroad car with them when the robbery was committed. Each member of the Board of Pardons recommends clemency. They heard the testimony offered on his application and recommend life imprisonment instead of death. After considering the testimony carefully and this recommendation of the Board of Pardons I am of the opinion that his sentence should be commuted from death to life imprisonment. So let his sentence be and it is commuted from death to life imprisonment in the penitentiary."

Planter Clubbed By Negro Thug

Sheriff's Force Searching For Car Thief Who Fled After Attack On Captor

A negro, captured by Edward T. Davis, Montgomery plantation owner, when the planter found the negro driving a stolen automobile near Pike Road, yesterday morning, seized the white man's pistol when his back was turned and after striking him on the head, escaped in the stolen machine.

Mr. Davis, who lives in Montgomery, was at his Pike Road plantation when he was informed that a negro was in the vicinity driving a car that looked like an automobile stolen from James Upchurch of the Interstate Oil Company here.

The planter, a friend of Mr. Upchurch, declared that he could identify the automobile if it was the one stolen from the oil man. With a pistol he went to a country grocery store where the negro had parked the car. He saw the machine and recognized it as the stolen car.

The negro was commanded to alight from the car and the white man marched his prisoner toward the store where he intended to telephone the sheriff's office. Sunday about 10:45 p.m.

When Mr. Davis turned his back, the negro leaped and seized Lewis, was recaptured about an hour later. The white man's arms from behind after the jail break occurred. A search is now being made for the other 10 prisoners, who are Will Tucker, Spencer Williams, John Brown, Henry Griffin, Elijah Hicks, Dave Griffin, Os John Scogin and other deputies went to the scene at once.

After a chase in automobiles for several miles over the roads in the southern part of the county, deputies found the automobile abandoned about a half mile from the Hobbie Road, 19 miles from Montgomery.

Sheriff Stearns sent to Kilby for blood hounds, and the dogs in charge of Guard Lee Wilson, followed a trail through a wooded section for several miles. The chase with dogs lasted for about three hours but the trail was eventually lost.

FARMER SENTENCED FOR ROBBING NEGRO

John Sawyer, Enterprise. Gets 10 Years In Prison For Taking Meat

ENTERPRISE, ALA., April 14.—(Special).—The trying of important cases in Circuit Court here this week has necessitated the drawing of three special juries. The first of these was drawn Wednesday morning when John Sawyer, well-to-do farmer and merchant, who lives just beyond the Enterprise city limits, was tried for robbery. Sawyer was accused of forcing Wiley Lewis, negro, at the point of a gun, to give him meat from his smokehouse. He was convicted and sentenced to 10 years in the penitentiary. He expects to make an appeal.

Considerable time was taken this morning in drawing the jury for the trial of Jack Wilson, aged and prosperous Coffee County farmer, who is accused of placing dynamite in a stick of fire wood which wrecked the home and slightly injured several members of the family of his neighbor, R. E. Howell, in Goodman community, Sunday, Jan. 31.

The trial of Grover Wilson will follow that of his father when the third special jury will be drawn. Court officials state that the trying of these two will probably consume the remainder of the week. Eighteen other persons were tried for minor felonies during Monday and Tuesday of which a large number were convicted. This is the second, or criminal week, of the Spring term of Circuit Court being held at Enterprise. Judge W. L. Parks, of the 12th Judicial Circuit, is in charge.

11 Negroes Saw Way Out Of Tuskegee Jail

TUSKEGEE, ALA., April 18.—(Special).—Sawing through the windows with a back saw, 11 negro prisoners escaped from the Macon County Jail here Sunday about 10:45 p.m. One of the prisoners, a negro man, Charles Will, was recaptured about an hour after the jail break occurred.

A search is now being made for the other 10 prisoners, who are Will Tucker, Spencer Williams, John Brown, Henry Griffin, Elijah Hicks, Dave Griffin, Os John Scogin and other deputies went to the scene at once.

After a chase in automobiles for several miles over the roads in the southern part of the county, deputies found the automobile abandoned about a half mile from the Hobbie Road, 19 miles from Montgomery.

Negro Awarded \$9,000

For Lost Sight At Kilby

Jesse Jordan, negro, was awarded judgment of \$9,000 damages yesterday by a Circuit Court jury in a suit filed against Dr. R. B. Warren, in which the negro charged the physician with "negligent practice" in connection with an operation performed while Jordan was an inmate of Kilby Prison.

Jordan testified the physician failed to remove a needle from his spine when Dr. Warren treated him last year at the prison. Dr. Warren did not appear for defense. The negro asked \$50,000 in the suit.

GETS \$9,000 JUDG-

MENT AGAINST

PRISON PHYSICIAN

Montgomery, April 19.—Jesse Jordan, Negro, ex convict, was awarded a judgment of \$9,000 in a suit against Dr. R. B. Warren, former state physician at Kilby Prison, for damages alleged to have occurred while Jordan was serving his sentence and under care of the physician in March, 1931. The decision was rendered by Judge Jones, of the Montgomery Circuit Court, Monday, April 18th.

The petition filed in Jordan's behalf charged neglect and improper treatment, alleging that during a spinal fracture a needle had broken off in his back and later an injunction near his head resulted in blindness. Dr. Warren did not appear in court.

Death Penalty Decreed

For Negro At Brewton

BREWTON, ALA., April 23.—(Special) A jury in the Escambia County Circuit Court Friday morning fixed the death penalty for Willie Payne, negro, who shot and killed Will Lane, prominent citizen of the Western section of this county on March 21.

The trial of Payne got under way Thursday morning at a special term of court called by Judge W. H. Hare, for the purpose of indicting and trying Payne. Evidence and arguments were completed late Thursday morning. It required only 15 minutes to agree on the verdict.

The date of Payne's execution was set for Friday, June 3 but the sentence was suspended when attorneys who had been appointed by the court for the negro, gave notice of an appeal to the Supreme Court. Attorneys C. B. Fuller, of Opp-

and Frank G. Horne, of Monroeville, defended Payne and County Solicitor W. E. Brooks handled the prosecution for the State.

Victim Of Negro Thugs

Improves At Hospital

Sykes Manasco, Cooperative Oil Company manager, remained under observation last night at local hospital to determine if his skull had been fractured Sunday night when he was stabbed by two negroes who robbed him of \$220.

Negro Gets 20 Years

For Stabbing Teacher

TALLADEGA, ALA., April 21.—(P)—Pleading guilty to stabbing Mrs. Frances Allison, school teacher, when she screamed after he had accosted her on a highway, Billy Joe Fluker, negro, was sentenced to 20 years in the State Penitentiary here today.

County officers left immediately for Kilby Prison at Montgomery with the negro. The trial required only five minutes.

Mrs. Allison was stabbed in the shoulder early this month while en route home from the Glen View School near here, where she teaches.

3 NEGROES TO DIE

IN ELECTRIC CHAIR

Supreme Court Affirms Decision;

New Trial Is Granted

Dove Ballard

Rendering decisions in appeals taken in four capital cases, the Alabama Supreme Court yesterday affirmed the judgments of trial courts in three and reversed and remanded the other. In cases in which action of lower courts was upheld, Friday, July 29, was set as the date for date for execution of the death sentences.

These cases are those of Clarence Crenshaw, James Jordan alias James Austin, and Lee Ferguson. The new trial was granted in the case of Dove Ballard, alias Dove Ballard.

Jordan was convicted in Jefferson County, of the murder of Mrs. C. A. Allen, in April, 1931. According to the testimony of Lena Mae Allen, daughter of the slain woman, the negro came to the Allen home when her father was away, asked for some water, and then forced herself, her mother, and a small sister, to go to an abandoned mine, where he thought they had hidden some money. At the mouth of the mine, she said, he suddenly attacked them, striking her over the head with a black-jack, and felling her mother and sister with rocks. The mother died of her injuries. In her testimony, Lena Mae Allen identified Jordan as her mother's murderer.

Dove Ballard was convicted in Butler County, of shooting and killing Deputy Sheriff Charlie Sims, who was endeavor-

ing to quell a quarrel between Ballard and Ballard's wife. Ballard escaped following the killing, but was finally arrested in Marshall, Mich., and brought back to Greenville for trial. In opinion of the Supreme Court in the case, written by Justice A. B. Foster, reference is made to the testimony of a juror, that the defendant being a negro and the deceased a white man, he could give him the same consideration as if the conditions were reversed. This juror, it is stated, was held by the trial court to be qualified, and his name placed on the list from which the trial jury was selected. As the juror left the place where he was examined, touching on his qualifications, it is cited, he passed by where the solicitor for the State was sitting and winked at him. The court's attention was called to this by the defendant's attorney, it is stated, and the juror was challenged, but the challenge was denied and his name allowed to remain on the list.

The meaning one would naturally attribute to the gesture described, the opinion declares, was that "if the solicitor shall select him as a juror it will not be a mistake." The opinion then holds: "We cannot approve anything which thus tends to reflect upon the complete freedom from bias which should be present in the mind of all jurors." The action of the trial court, it was ruled, constituted reversible error. Further reversible error was committed when it was held, in the admission of an alleged confession by Ballard, which confession he was permitted to make without telling him his evidence would be used against him, and without making it clear that no hope was being held out to him as the result of giving such evidence.

Lee Ferguson was found guilty in Shelby County, of way-laying and killing Hensley Joshua Henderson, 75-year-old huckster, for the purpose of robbing him, Ferguson confessing to the crime.

Clarence Crenshaw, negro, was convicted in Conecuh County, of stabbing to death, John D. Barnes, a white man. There were no eye-witnesses to the crime, the evidence all being circumstantial. It was testified by one witness at the trial, however, that Crenshaw while in jail, admitted the killing.

EUFAULA, ALA.

TRIBUNE

MAY 28 1932

The Costly Convict

The largest single item of expenditure, next to education, on the state's expense budget, is the convict department. For the last fiscal year, ending October 1, 1931, this department imposed a levy of \$3,722,156 on the state's slender resources. It is well known that the prison population during the past few years has broken all records in growth, and naturally in maintenance costs, the totals running well over 5,000 in-

mates.

Our undeveloped system of handling convicts is responsible for much of the loss the state sustains from year to year. Putting the prisoners to work on the roads proved so costly it had to be abandoned. Farm work on a limited scale and part-time factory employment, which are the methods now obtaining, are poor sources of revenue. The convict is a boarder who does not pay his way. Gov. Miller has tried to relieve some of the strain by using the parole freely and has accomplished some good results, but the courts keep up a pretty steady stream of new recruits from the various counties, knocking for admittance, so it is difficult to lighten the burden. A year or two at the big Kilby hotel is not looked upon as a punishment but as a lark by a considerable element of our negro population.

When the convict was taken out of the mines he was changed from an asset to a liability. The sentimental hue and cry which effected the change is now costing the taxpayers some hard-earned dollars. Of course, if we prefer to give up the dollars in deference to a mistaken homage to the demands of humanity, it is all right. We have a right to throw away our money any way we want to, but the convict problem is far from a satisfactory settlement and should have the serious study of those in charge of it. To pay out 18 per cent of our total revenues on convicts is a policy which should be abandoned and speedily.

GOVERNOR GRANTS

NEGRO CLEMENCY

Clarence Crenshaw's Sentence

Of Death Commuted On

Self-Defense Plea

The sentence of death imposed on Clarence Crenshaw, negro, who was 17 years old when he was convicted of the murder of John D. Barnes, a white man, and condemned to pay the supreme penalty, was commuted to life imprisonment

late yesterday by Gov. Miller after members of the State Board of Pardons unanimously recommended commutation. Execution of Crenshaw had been scheduled for July 29.

The tragedy occurred near Castleberry, Ala., in May, 1931. At the trial evidence against Crenshaw was largely circumstantial. Yesterday, at a hearing before the Governor and members of the Board of Pardons, composed of Atty. Gen. Knight, Secretary of State Jarman, and Auditor Brandon, the negro declared that when he fatally stabbed Barnes he did so in self-defense.

According to Crenshaw, a younger brother of his had gone to the Barnes home to get some fish hooks, and while there Barnes knocked the brother down, causing him to lose his hat. When the brother returned home, he said, his mother asked where his hat was and he told how he lost it. She then directed him to return to get the hat, but he protested, saying he was afraid of Mr. Barnes. She then told Clarence to go with the boy.

On the way to the Barnes house they met Barnes, he stated, and he asked him about the hat. Barnes, he said, attacked him and knocking him down was on top of him about to cut his throat with a knife. It was then, the negro said, that he stabbed Barnes, inflicting the wound that caused the latter's death.

When the case of Lee Ferguson, another negro under sentence of execution on July 29 for the murder of H. J. Henderson, aged white huckster in Shelby County, was called for hearing before the Governor and the Board, it developed that there was no record available of the facts in the case and no witnesses were present. The Governor, therefore, granted a reprieve to Ferguson until Aug. 19 so that opportunity could be given for the facts to be assembled and properly presented.

Crime-1932

Solicitor Recommends Clemency For Negro

BIRMINGHAM, ALA., July 22.—(P)—John W. Davis of West Virginia death chamber. If you had been the fifth grade when he left school, never to return. With the exception of the young white boy in Death Row, he has had the best education of any of the rest. The white boy finished the eighth grade. Of the other colored boys, one had been in the fourth grade, eight had been in the third grade, and three in the second grade when their training for life in the public schools had been completed. This was the education the Sovereign States of Alabama, of Tennessee and Georgia had given to 14 human beings the Sovereign State of Alabama now wished to deprive of life.

In a letter to the State Pardon Board the Solicitor said his recommendation was made because Lena Mae Allen, 17, who was attacked by the slayer of her mother, requested the Grand Jury to wait 30 days after its investigation, to indict Jordan.

The negro is scheduled to die in the electric chair at Kilby Prison July 29. Commutation of his sentence to life imprisonment has been recommended by Sheriff James F. Hawkins and Chief of Police Fred McDuff.

Birmingham Negro Saved From Chair

Commutation to life imprisonment, which was unanimously recommended by the State Board of Pardons in the case, was granted yesterday by Gov. Miller to evil designs in coming to see his Andrew Levert, Birmingham negro, under sentence of death for highway robbery. Levert was found guilty of participating in the holding up, wounding and robbing of a storekeeper in his place of business.

The negro protested his innocence at a hearing before the Governor and the Pardon Board, claiming he was a Hale County white man who was committed in his order of commutation. Gov. Miller pointed out that the punishment fixed by statute for the crime of which Levert was found guilty, is at the discretion of the jury, death or imprisonment in the penitentiary for not less than 10 years.

session of the National Association of Colored Teachers, in Montgomery. In the three-day session I had heard Dr. Will Alexander of the Inter-racial Commission, Dr. T. E. Jones of Fisk University, Dr. John Hope of Atlanta University, Dr. several electrocutions in this very plant of the Alabama State Teachers College, two new buildings for which the State had contributed \$400,000. I had seen and heard these great educators of our race conferring on the problems of the Negro school child. I had heard plans for universities, colleges and normal schools.

Education at Montgomery — and at Kilby. Now I stood in another new building, a steel and concrete structure that cost the State of Alabama three million dollars. Within its walls were 1400 human beings, about equally divided between black and white. I was out there to learn a bit more about "education" than I had learned in Montgomery. I wanted to know the kind of educational system that had brought 1400 human beings, one white boy and 13 black boys, into the shadow of the electric chair. It took a long time to persuade the warden that I had no designs in coming to see his charges.

The Warden Fears Communists. "You ain't one of them communists, are you?" he asked. "I wouldn't have one of them devils out here for nothin'! They've come down here and pumped more boys full of stuff and raised more stink than this State will stand!" From his conversation one gleaned the idea that White Alabama was slightly ashamed for the Scottsboro case, but had made up its mind to "see those niggers burn" for no other reason than to "spite them

football team. But they have never been to high school—and they have received just about the average sort of schooling that millions of Negro boys and girls in the South can look forward to today. Osie Powell tells me he was in the fifth grade when he left school, never to return. With the exception of the young white boy in Death Row, he has had the best education of any of the rest. The white boy finished the eighth grade. Of the other colored boys, one had been in the fourth grade, eight had been in the third grade, and three in the second grade when their training for life in the public schools had been completed. This was the education the Sovereign States of Alabama, of Tennessee and Georgia had given to 14 human beings the Sovereign State of Alabama now wished to deprive of life.

Here is their educational record: Two men in cells adjoining have been sent up for murder from Conecuh county, Alabama. "I ain't had much teachin'." I jes went to school for a year and a half." Asked how many months the term lasted, "Oh, I went five months one year, and two months another year."

Here is one of the Scottsboro boys, born in Elberton, Ga., who went to school there, in a country school outside of Atlanta, and for one year in Chattanooga. "Why didn't you go on to school?" "Well, you see, I just got tired of goin' and I didn't have to go anyway." One wonders where the truant officer was—but then you know at once that schools for Negroes in the South have not enough room for all the Negro children, so they don't pay attention to making colored children go to school.

Andy Wright—Possible College Boy. Here was Andy Wright, of Chattanooga, who answers the command of the guard without cringing as the others do. At once you feel that, whatever his crime, Andy Wright is a man. As you talk to him, you sense an intelligent mind. Andy had to leave school at the fourth grade; there wasn't anybody to make him go, anyway. But Andy has learned a lot during these last two years, and you wonder if Andy wouldn't fit well into your college class if he had just a few more years of training. That fatal IF!

What the State Paid to Educate Them As Good Citizens. I have figured out a balance sheet, to show how much the State has paid in preparing these boys for a decent life. To do this I went back to some State reports showing what had been paid for Negro children apiece in the various communities while these boys were going to school.

Whatever else other visitors had said, the Scottsboro boys are not lacking in intelligence. In their cells, hair cropped closely, in clean white dungarees, there is not a vicious face among them. They are just the sort of boys in appearance one might find on any high school

VISITS KILBY PRISON; WARDEN IS INSULTING

MONTGOMERY, Ala., July 21—(By Horace Mann Bond for ANP)—"Say, John, come take these niggers up to see those Scottsboro niggers!"
The speaker was the warden of Kilby penitentiary, addressing a guard. "These niggers" were an Alabama teacher and myself. I had been attending the twenty-ninth annual

On account, preparation for life, paid by the State for education for two human souls, Conecuh county, Alabama, at \$1.50 apiece for a four month's term.....\$ 4.50
one human soul, Butler county, Alabama, at \$1.00 apiece for a four month's term 1.50
one human soul from Monroe county, Alabama, at \$1.25 apiece for a four month's term 1.75
one human soul from Shelby county, Alabama, at \$3.00 for a six month's term 9.00
one human soul from Elberton, Georgia, Atlanta and Chattanooga, for a total of 22 months of education 31.00
seven human souls from Chattanooga, at \$10 apiece for a nine month's term.. 210.00

Grand Total Paid by State for preparing 13 human souls for a decent life...\$257.75
What the State Wants to Collect
CREDIT

To be paid on account, as a debt to Society and States named above
Thirteen human souls — is it a fair return for a debt of \$257.75? Had these been white boys, these States and cities would have paid \$3,185 in preparing them for decent living. But being black, Alabama, for example, spent \$16.75 for the entire education of five human beings it now wishes to place in an electric chair, to see their muscles jerk and their flesh burn as electricity courses through them.

Your Child—The "Average Education for Niggers?"

The guard hurries us on out, out of Death Row, out of the prison, back on our road to Montgomery and the N. A. T. C. S. What had the warden said? "Education? I guess they're about the average for niggers." Sad, but the warden was right; just about three million other boys and girls in the South are now getting the same kind of education that lies behind those 13 Negro men and boys in Kilby penitentiary's Death Row today. God help those 13 unfortunate boys, and God help those three million other boys and girls in the South today who but for blind chance might be here today, or 20 years from today. Maybe, Negro fathers and mothers, it may be your son or daughter who will have to balance his little debt to the State by giving his life. What are you going to do about it?

DEBIT

MILLER COMMUTES NEGRO'S SENTENCE

James Jordan's Identity Is In
Doubt; Convicted Of
Murder, Assault

Holding there is a question as to the identification and guilt of James Jordan, Jefferson County negro, convicted of the murder of Mrs. C. A. Allen, near Birmingham, Gov. Miller, yesterday commuted to life imprisonment the death sentence of Jordan, who was to have been executed at Kilby Prison next Friday morning. Commutation in the case was unanimously recommended by the State Board of Pardons.

Jordan, who was charged with murdering Mrs. Allen, and then attacking the slain woman's daughter, was convicted of murder and condemned to death. The question in the case, Gov. Miller points out in his order commuting the sentence, is as to the identification of Jordan, who plead not guilty and offered an alibi, claiming he was in another county when the murder was committed.

As to the question whether or not Jordan is guilty, the Governor cites a number of letters to the pardon board on the subject. The first of these is a letter from Solicitor George Lewis Balies of Jefferson, who wrote that the circumstance of Miss Allen asking the Grand Jury to wait from one session to the next, 30 days, before taking action, he feels is sufficient to warrant commuting the sentence. Miss Allen, he said, wanted above everything, to be fair and just, and won the heart of the whole court. It was upon her testimony that Jordan was convicted.

The foreman of the jury wrote that after reconsidering the testimony in the case and the newly discovered evidence, he recommended commutation of the sentence. Two jurors also made a like recommendation. Chief of Police Fred H. McDuff wrote he must admit he could not conscientiously state that Jordan was the guilty negro, beyond a reasonable doubt. Sheriff J. F. Hawkins said he could not get his own consent to allow Jordan to pay the extreme penalty if the matter was left up to him, the Sheriff, to pass on, because he could not say beyond a reasonable doubt that Jordan is "the man."

Jail Warden F. L. Erwin said there is doubt in his mind as to Jordan's guilt and he believes his sentence should be commuted, stating that "Miss Allen on one or two occasions at the county jail, in my presence, failed to identify him." Warden W. R. Smith said that on two occasions, in his presence, Miss Allen failed to identify Jordan. Mr. Smith recommended commutation. Chief of Police V. F. Cunningham declared in a statement it is his honest and just opinion that Jordan is "not the right negro."

There are many other statements by these parties and circumstances in the case indicating Jordan may not be the guilty party, the Governor recalls, and cites the unanimous recommendation of the Board of Pardons. The Chief Execu-

tive's order then states: "As there is doubt as to his guilt, he should not be electrocuted; so let his sentence of death be commuting by substituting for it imprisonment in the penitentiary of this State for and during his life."

Shelby Negro's Denied Clemency

Secretary of State Jarman and Atty. Gen. Knight, composing a majority of the State Board of Pardons refused yesterday to recommend commutation of the sentence of Lee Ferguson, negro, condemned to die in the electric chair at Kilby Prison Friday, Aug. 19, for the murder of H. J. Henderson, aged Shelby County huckster.

Mr. Jarman, in his statement declining to recommend clemency, stated he has no doubt of the guilt of Ferguson. Declaring that John Guice, negro co-defendant with Ferguson, planned the robbery which resulted in the murder, and instigated Ferguson to commit the crime, Mr. Jarman said in his opinion Guice is the one who should have been selected for execution, but that he is not willing to let the verdict in Guice's case operate as an interference in the case of Ferguson.

Atty. Gen. Knight recommended that the sentence of the law be carried out. Guice, the second negro, testified before Gov. Miller and members of the Pardon Board at hearing of Ferguson's application for clemency. He and Ferguson blamed the crime on each other, each maintaining the other was responsible. Guice, who was convicted in connection with the same slaying, is now serving a life sentence.

State Auditor Brandon of the Pardon Board has not yet made his recommendation in the Ferguson case but is expected to do so today.

Negro Killer's Hearing Before Pardon Board

Among those whose petitions for executive clemency will come before the State Board of Pardons in session at the Capitol today will be Charles Studemeyer, negro, of Birmingham, who in 1920 was convicted of the murder of James McDuff, a salesman. The death sentence imposed on the negro was commuted to imprisonment for life by former Gov. Thomas E. Kilby. Petitions for parole or pardon, docketed for hearing by the Pardon Board at today's meeting, total more than 150.

ALABAMA HAD 600 HOMICIDES IN 1931

Accidental Deaths For Same
Period Numbered 1,574,
Fales Reports

Homicides took the lives of 600 people in Alabama during last year—199 being white persons and 401 negroes.

Accidental causes cost 1,574 more lives and there were 219 suicides, 196 of these being white people and 23 being negroes.

In addition to these figures shown in a report for 1931, issued yesterday by Dr. W. T. Fales, director of the Bureau of Vital Statistics it is announced that in Alabama last year there were 28,412 deaths from all causes, registered—of which 15,068 were among the white population and 13,324 among the negroes. The death rate for the entire State was therefore, 10.6 per 1,000 of population; 8.7 for the white and 13.0 for the negroes.

The greatest number of deaths, Dr. Fales says, were chargeable to diseases of the heart, which took a toll of 3,136 lives or 11 per cent of all deaths. Death rates from typhoid fever and whooping cough, however, were the lowest on record—the malaria death rate being next to the lowest ever recorded. No deaths were recorded from smallpox.

For the month of July of the present year, there were 4,938 births and 2,212 deaths in Alabama. For the month, infant mortality rates were lower than last year—a decrease also being recorded for the first 7 months of 1932. Typhoid fever, malaria, and pellagra were well below the figures for previous years, Dr. Fales says, adding that this decrease, if continued, "will give Alabama new low death rates from these causes this year." The record from diphtheria, though, was the highest for any July since the Bureau has been issuing monthly summaries.

In another report for the month of August, issued by Dr. D. G. Gill, director of the Bureau of Epidemiology, dealing with the prevalence in the State of various communicable diseases the number of cases of malaria reported show an increase compared with the month of July, as do cases of typhus, scarlet fever, diphtheria and pneumonia. Decreases are shown in the prevalence of typhoid, measles, whooping cough, influenza, tuberculosis, pellagra and meningitis. Not a single case of smallpox was reported during August.

TOTAL OF 5,268 IN ALABAMA PRISONS

Montgomery, Ala., Oct. 13.—Alabama had a total prison population of 5,268 at the beginning of October, W. F. Feagin, director of the State Board of Administration, reported.

This population was divided as follows: 1,517 at Kilby Prison, Montgomery; 1,026 at Atmore Prison; 848 at Speigner Prison, and 521 at No. 4 Prison. The remainder were confined to the prison at Wetumpka and in the nine state road camps. The tuberculosis hospital at Wetumpka housed 91 prisoners.

There were 247 state prisoners and 1,959 county prisoners on parole at

the time the report was issued. The prison population includes 1,625 white men, 38 white women; 3,443 Negro men, 162 Negro women.

Speigner Warden Tells Of Riot; Senate Probe Fails Of Quorum

Warden A. B. Smith, of Speigner Prison, in reports filed yesterday with Director W. F. Feagin of the State Board of Administration, submitted in brief detail a full account of the break for liberty late Sunday afternoon of 15 inmates, resulting in the death of one from the gunfire of guards, and the subsequent general rioting in the quelling of which 22 other prisoners were injured. Quiet reigned at the prison throughout yesterday, it was announced.

Carl Singleton, young Jefferson County convict, and one of the 15 who made the original break by smashing through the board stockade while a football game was in progress on the prison reservation, was fatally hurt when a BB shot forming part of the charge from the gun of one of the guards, entered his body just below the left armpit and penetrated his heart. Singleton died about 10 minutes after being admitted to the hospital.

In addition to Singleton, those participating in the break were as follows: Grover Shadrix, Blount County; William Martin, Jefferson; Horace Willis, Etowah; Archie Sheffield, Monroe; Offie Ethridge, Etowah; Frank Hendricks, Jefferson; Raymond Hunt, Madison; Clyde Hightower, Jefferson; Howard Winchester, Tuscaloosa; J. B. Chandler, Montgomery; Carl McCellan, Calhoun; Robert Barnes, Jefferson; Rewben Pittman, Montgomery. All of those named have been recaptured except Pittman, who was still at large at a late hour last night.

Warden Smith, in his report to Mr. Feagin, after telling of the escape of the 15, the fatal shooting of Singleton, and the wounding of Archie Sheffield in the arm, states that when the first escapes were being brought back into the prison yards "upwards of a hundred men rushed down near the front gate. The guards at the front called to them to halt and when their commands were unheeded, they opened fire upon them." All the the wounded received hurts of a minor nature, he said, with the exception of one prisoner, John Hill, negro, of Lee County, who was shot in the chest.

List of the wounded prisoners, with the nature of the injury of each, is contained in another report submitted to Mr. Feagin by Dr. J. F. Sewell, physician in charge. The list follows:

Will Hall, negro, No. 20280, Montgomery County, one shot wound on left side, 11th rib.

Manuel Lopez, negro, No. 20371, Jefferson County, one shot wound, right shin.

Homer Jarrell, white, No. 26020, Lee County, shot in left leg, left arm, two shot wounds right thigh.

Arthur Nelson, negro, No. 25179, Jefferson County, shot wound in right shin.

Chester Sawyer, white, No. 6941, Jefferson County, one shot wound in left leg.

Howard Huller, white, No. 22257, Limestone County, shots in chest, right arm,

left knee, right thigh. (Deep wounds).

Milford Burton, white, No. 26601, DeKalb County, shot in left little finger.

Charlie Dutton, white, No. 26600, Blount County, shot left corner of mouth.

Vester Watson, white, No. 25627, St. Clair County, shot in nose and right groin.

John Baker, white, No. 16939, Calhoun County, shot in left ear.

Frances Hays, white, No. 22906, Morgan County, shot in right cheek.

Phonso Hughes, white, No. 25069, Talladega County, shot at the base of nose, between the eyes.

Archie Sheffield, white, No. 21575, Monroe County, shot in right forearm.

Fred Dillard, white, No. 26187, Montgomery County, shot in left leg, right ear, and left knee.

Lacking a quorum, the Alabama Senate committee on penitentiary, prison and prison punishment postponed until today its meeting scheduled for last night to consider the advisability of urging a legislative investigation of the riot yesterday at Speigner Prison in which one prisoner was killed and 22 wounded.

Senator Warren, Tuscaloosa, chairman, said the committee would meet early before the Senate convened and definitely decide whether the investigation would be sought.

"The committee is not in a critical spirit," Senator Warren said. "But we have heard reports that some of the prisoners fired upon were not trying to escape but were merely rushing toward the walls to watch the capture of the first 15 conspirators."

Prison officials reported that 15 white men led the break by crashing through a weakened section of the wooden wall surrounding the prison recreation ground.

As some of the captured men were being brought back, about half of a milling crowd of 950 prisoners surged toward the wrecked walls, and were fired upon, prison officials said, after they refused to heed the warning of guards to halt. Four were seriously wounded, 17 others receiving slight flesh wounds.

The slain prisoner was among the first 15 making the break.

Crime - 1932

Seven Prisoners
Publicly Flogged
Mason, Ga.

WILMINGTON, Del., March 19. (P)—The ancient law to which the state of Delaware still clings, that of publicly whipping prisoners charged with certain offenses, was carried out again today. 3-20-32

The group that was brought out to the yard of the New Castle county workhouse for floggings was larger than usual — five white men and two Negroes.

The five white men, all convicted of robbing a pawn shop, were given forty lashes each. No blood was drawn but a number of the prisoners flinched under the punishment.

Crime-1932

YEAR EACH Jail White FOR BRUTAL Cops Who POLICEMEN Beat Negro

Washington, D. C. Trio Given Sentences As Outgrowth Of Investigation Of Use Of 'Third Degree' Tactics On Prisoners

WASHINGTON, Jan. 3.—Sentences of a year's imprisonment. Monday were passed upon three white police officers for assaulting prisoners in 'third degree' tactics in an effort to extract confessions from them Justice Jas. Proctor in the District Supreme Court denied motion for a new trial and gave each a sentence of one year in jail and a \$500 fine. All three were liberated on bond pending appeal.

The trio receiving the maximum sentence for simple assault are James A. Mostyn and William R. Laflin, suspended members of the First Precinct and Robert J. Barrett, head-quarter detective.

Led To 18 Indictments

The charge against the police resulted from an expose of conditions in the Police Department that followed stories of brutal abuse of prisoners, especially colored prisoners. An investigation followed which led to the indictment of eighteen police for varying degrees of assault.

Justice Proctor said the officers had exceeded their duty and violated the law. He added the evidence disclosed Mostyn and Laflin were guilty of "deliberate torture of a prisoner to gain a confession."

In sentencing Barrett he said: "We can't depend on police to solve mysteries with their fists. If they expect to solve crimes, they must use their heads. I cannot consider this anything but a very serious violation of the law."

WASHINGTON, Jan. 3.—(CNS)—James A. Mostyn, William R. Laflin and Robert Barrett, three white policemen, whose brutal method of beating confessions out of helpless white and colored prisoners in police stations, was recently revealed at their trials for criminal assault, were last week each sentenced to serve one year in jail, by Judge James M. Proctor of the District of Columbia Supreme Court, following their convictions. In addition the first two named were also fined \$500, the limit under the law.

In meeting out sentences to the white policemen, Judge Proctor said: "They used deliberate, premeditated, and methodical torture to gain a confession. I hope they have not convicted others of such confessions and am glad they didn't get a chance to take the witness stand and send this man to jail on such a confession."

Three Must Die Despite Inability To Place Blame

WASHINGTON, Jan. 25 (P)—A jury found that three Negroes were not guilty individually of firing a shot which killed Lamar W. York, a prohibition agent, in April, 1930, but today the supreme court upheld a death sentence imposed upon the trio.

One count in the indictment against the men, John Borum, John Logan, and Milton Guy, charged they had committed the murder, but it was not known who fired the pistol. They were found guilty on this charge and sentenced to death.

Attorneys for the three argued they could not be held guilty of murdering York after a jury decided neither of them had fired the fatal shot.

The court dismissed the appeal.

WASHINGTON (CNS)—James A. Mostyn, William R. Laflin and Robert Barrett, three white policemen, whose brutal method of beating confessions out of helpless white and colored prisoners in police stations, was recently revealed at their trials for criminal assault, were sentenced to serve one year in jail, by Judge James M. Proctor of the District of Columbia Supreme Court, following their convictions. In addition the first two named were also fined \$500, the limit under the law.

WASHINGTON, Feb. 10 (P)—A life sentence today was given Joseph H. Biggs, negro hotel doorman, for the killing last year of William F. Norman, once an assistant to the attorney general and formerly of Chattanooga, Tenn.

JUSTICE HOLMES' LAST ACT DOOMS NEGRO TO CHAIR

Washington, D. C.—(CNS)—The last judicial decision handed down by the much revered Justice Oliver Wendell Holmes, resulted in dooming to the electric chair three colored men convicted of killing a prohibition agent April 12, 1930. The men had been indicted severally and individually on four counts for murder. The jury unable to decide which of the three fired the fatal shot, brought in a verdict of not guilty against each of the three men individually, but held them guilty on the count charging them severally.

On appeal it was argued that since all the men had been found not guilty individually, they could not be held against the Negroes, and a terrorizingly guilty severally. Ending 50 years on the bench Mr. Justice Holmes wrote in upholding the lower court: "Consistency in the verdict is not necessary. Each count of an indictment is regarded as if it were a separate indictment."

That the decision proved adverse to the colored men involved in the case was only incidental, however. The retiring justice has always been noted for his fairness and impartiality to Negroes. A veteran of the war of the Rebellion, he served gallantly as captain of Union forces and was thrice wounded in combat.

Washington Police Arrest 14 Negroes in Attempt to Frame Them for Cop Death

International Labor Defense Sends Patterson To Take Charge of Defense

Dead Cop Had Attacked Negro Workers In Wave of Terror Following Bonus Battle

BULLETIN

NEW YORK.—Word was received from Washington this afternoon by the National Office of the International Labor Defense, that William Patterson, well-known Negro labor leader, and member of the executive committee of the I. L. D., who went down to Washington yesterday afternoon, had disappeared. It is feared that he has been arrested. Patterson went to Washington to represent the I. L. D. in arranging for the defense of the eleven Negro workers held there on frame-up charges of murder.

WASHINGTON, D. C., Aug. 11.—Fourteen Negroes have been arrested here, and a score more arrests are predicted by the police, in a preparation for frame-up charges for the death of Policeman M. J. Kennedy, who died last Sunday of a fractured skull after attacking a group of Negro workers on the street. One arrest was made near Hamilton, Va., Police, today the basis for a frame-up, claim that a Negro, Irving Murray, had Kennedy's gun in his possession. Brigadier-General Pelham Glassford, who engineered the eviction of the veterans, and the army attack on them for President Hoover, has apparently ordered a reign of terror against the Negroes, and a terrorizingly guilty frame-up at all costs.

NEW YORK, Aug. 11.—William Patterson, prominent Negro labor leader, and a member of the national executive committee of the International Labor Defense, left for Washington Wednesday night to take charge of the defense of the fourteen Negroes held there in the death of Policeman M. J. Kennedy. Kennedy died last Sunday, and his death has been made the excuse for unleashing a veritable reign of terror against the Negroes in the capital. District

officials, and the police department, it is understood, are preparing to frame these fourteen on murder charges.

With Patterson will be associated in the Washington defense, Bernard Ades, I. L. D. attorney, and C. Lippa, Philadelphia organizer of the I. L. D.

Kennedy died as a result of a blow from his own night stick when he charged on a group of Negroes on the street and attacked them trying to take one of them to jail on charges trumped up on the spur of the moment. The Negroes, smarting under this and previous similar attacks, tried to rescue their comrade. In the scuffle, someone took Kennedy's club from him and hit him over the head.

Ever since the eviction of the bonus marchers, the police of Washington had been terrorizing the Negroes in Washington, driving them off the streets, and clubbing, beating and dispersing them whenever two or three stood together. Since the death of Kennedy, this terror had been intensified, and Negroes have been thrown into jail indiscriminately, as police sought to find a group on whom they could in any way fasten a murder charge.

The Washington papers have been publishing scare headlines, stories about "Negro hoodlums," and other obvious preparations for an attack on the Negro workers here, who, forming 80 per cent of the working-class population, are in desperate circumstances as a result of the crisis. The whole affair is an attempt to terrorize the starving Negroes, who would undoubtedly be forced into militant action during the coming winter to obtain food and shelter, and to smash the growing unity of Negro and white workers which increased tremendously during the stay of the bonus marchers here, and as a result of their eviction.

"It is to be expected," a statement by Carl Hacker, acting national secretary of the I. L. D., yesterday said, "that following the attack on the bonus marchers, and the wave of mass resentment which swept the country as a result of it, the Hoover administration and the Washington

police should seek by attacking the economic rights, the drive has been against them." "That following the attack on the bonus marchers, and the wave of mass resentment which swept the country as a result of it, the Hoover administration and the Washington police should seek by attacking the economic rights, the drive has been against them."

NEGROES COMMIT 75 PER

CENT OF D. C. KILLINGS

Kansas City & Topeka

Plainsville

WASHINGTON, Aug. 19—(CNS)

A study made of the homicides dur-

ing the ten weeks period from May

17 to August 4, 1932 reveals that the

homicide rate for the colored far

exceeds that of white in the District

of Columbia. Negroes which com-

prise about 25 percent of the popu-

lation furnished 75 per cent of the

homicides during this period.

The statistics reveal that there were

16 persons of color convicted of hom-

icides with a total of 17 victims.

Twelve of those persons were male,

while 8 of the victims were male and

4 of them with female victims. One

of these was a fratricide while in

two cases the victim was white, dy-

ing at the hands of Negroes.

There was for this same period

6 white persons convicted of

homicide with 5 victims. Five of

those persons were male with five

male victims, and 1 female with 1

male victim. In the latter case the

white woman killed her husband with

an axe. No Negroes died during

this period at the hands of white.

The probable reason for this is

that Negro housing in the District

of Columbia in the sections which

furnish the majority of the homo-

cides are deplorable and the neglect

of a large portion of the colored

population to take advantage of the

educational facilities offered. This

however is not true among the

whites.

The homicide rate for the District

of Columbia approximates that of

Jacksonville, Florida where an aver-

age of 2 Negroes are killed by Ne-

groes every week. The only differ-

ence for this period is that 2 of the

persons who died at the hands of

Negroes in Washington were white

while in Jacksonville Negroes do not

kill white but are content to kill

each other.

brutality of the men under him toward their prisoners and persons whom they contact.

We are informed that this gang of boys has infested Logan Circle and given it a very unsavory reputation. Their conduct in this park has been condemned, not only by the residents of that vicinity but by passersby and casual visitors to the circle.

From the best information we can obtain, the death of Officer Kennedy is the climax of a riotous gang of young men who go from one misdemeanor to another, from bad to worse and now they find themselves facing a prison term for the company they kept and the resulting action of the gang.

The crime wave in Washington has reached an alarm-ing height. It is young men and women who are credited with the major part of the crimes committed here. We can-not permit this thing to continue. Parents, teachers, preach-ers, everybody must feel the pang and humiliation of a crime-ridden city. What can we do to curb and curtail the rising tide?

There have been several dastardly crimes committed here in recent months. The murder of the old grocermar Ruppert at Eleventh and T streets, northwest, is one of them. The killing of Policeman Kennedy bring the thing very force-fully to our attention. Are we helpless?

The Tribune wants Washington clean of these gangs infesting public parks and places. We want the crime record reduced. We want the criminals caught and duely punished. There is no excuse for our high rate of crime and every law-abiding, liberty-loving citizen should feel a personal interest and take an active part in reducing Washington's rising tide of crime. Our future is jeopardized by this crime record—our progress hampered. We must act to restore and protect personal security.

The Tribune wishes to commend the fine spirit of fair-ness and the utter lack of race prejudice shown at the Coro-ner's hearing Tuesday. The Scottsboro case as well as other cases farther South where mob violence runs rampant flashes before us and we commend the acting Coroner, Dr. McDonald and the Assistant District Attorney Richard for their fairness in keeping out any sign, insinuation or infer-ence that would engender race prejudice or race clash. The police officers who investigated and reported on the case are due commendation for their impartiality also

MOB VIOLENCE

Tribune
The Washington Tribune has always condemned mob violence. The action of the twelve or fifteen boys who plot- ted to administer a beating to Park Policeman Kennedy in Logan Circle Saturday night, is a glaring example of mob action, which we condemn. 8-12-32

It is regrettable that our young men should so forget themselves as to band together, as a gang and kill a member of the law enforcement department of the District.

We hold no brief for these young men and do not con- done their action.

While the police of Washington are not above reproach in their brutality, the individual cases should be resented by the victim of their brutality and not by mob action. Law and order must be respected and maintained.

Be it said to the credit of Gen. Glassford, chief of police of the District, that since his assumption of his duties as the chief of police, there has been a notable slump in police brutality here. We commend him for his stand against

Crime-1932

"Torture Prison" Escapes Caught in Decatur; Terror-Stricken Over Return to "Hell Hole"



Claude Wofford (left) and Cleo Drew giving a statement to M. J. Hays, wife of the DeKalb county sheriff, while Policeman P. N. Turner stands by. Staff photo by George Cornett.

BY ROY ROBERT.

Two "torture prison" convicts, B. Cahoon, of Duval county, Florida, trembling and cowed, but with desperation in their eyes, Thursday were waiting to start back on the grim trail to Jacksonville, Fla., there to don the stripes they cast aside in their break from jail Sunday morning. Cahoon said he intended to start following the testimony of one that for Jacksonville at 9 o'clock this morning. Arthur Maillefert was tortured and killed in a prison sweat box.

Willing to recite the manner of their escape, the prisoners said a man claiming to be a minister came to their cell Thursday and handed them eight steel saws, saying "I want you boys to get out of this hell-hole."

Captured in Decatur Thursday morning by DeKalb County Policemen C. B. Ford and P. N. Turner, Cleo Drew, 27, serving a 24-year sentence for a pay roll robbery, and James Wofford, 20, with 15 months yet to do for robbery, readily told of

Thursday the prisoners talked freely of their flight and hardships endured in getting to Atlanta, where he combination of a handsome automobile they had stolen and their dirty and disheveled appearance aroused suspicion in officers. Halted by the policemen, the men fled only to be captured.

Young Wofford, a mere stripling, his face twitching and teary voice, related the story of their capture. Separating in flight to avoid the police, the two collided as they ran around a house. The impact halted

Both Terror-Stricken

Fear—stark terror—shone in the eyes of both men as they related treatment by guards at the camp where Maillefert died. Both admitted that they had no idea what terrible fate awaited them upon their return—but both were emphatic that if called to the witness stand they would swear that "the prison was a hell-hole on earth."

Drew took the stand last week to testify that George W. Courson and Solomon Higginbotham, guards at the Sunbeam camp, where Maillefert died, killed Maillefert in cold-blooded murder.

Wofford, who was to have been a witness Monday, said "Maillefert was no worse than any other convict—but that he was strangled by Captain

Courson in the sweat box. It was deliberate murder."

Both said they had seen Maillefert beaten with a six-foot length of rubber hose, doubled, for 30 minutes by Courson. On that occasion, Wofford said the guard desisted only after six prisoners threatened to stop him forcibly.

"The 'minister' who gave us the steel saws said he would meet us Sunday and arrange for funds and clothing for our escape," Wofford said, "but I suppose because Drew told the truth Friday on the witness stand that the 'preacher' got sore and didn't show up. Anyway, he wasn't at the place he said he would meet us."

Took Ropes from Bunks.

After sawing out of their cells in the Jacksonville prison, the prisoners donned make-shift clothing given to them by a new prisoner whose belongings had not been checked out of the jail. Sawing through the outer tier, they say, they climbed to an attic and dropped to the ground with ropes taken from bunks.

They stole a car in Jacksonville and drove to Washington, Ga., where they exchanged their stolen vehicle for a lighter auto. This conveyance brought them to the outskirts of Decatur where the fuel supply was exhausted. Abandoning the car, they stole a handsome sedan on Ponce de Leon avenue, in Decatur, the car which led to their capture.

Neither offered resistance. DeKalb officers said, when captured after their collision while dashing around a house. Even before they reached the county jail they had told officers they were the murder trial prisoners from Florida.

Threatened With Death.

Both Wofford and Drew said they were approached by guards at the Sunbeam camp before the trial opened, and were threatened with death if they testified regarding Maillefert's death and camp conditions.

Wofford said one guard—he would not reveal his name "because I might go back there"—shortly before the trial, invited him to run through the woods.

"I don't know," said Wofford, "whether he really wanted me to escape so I could not testify, or to shoot me."

Both convicts said that newspaper accounts of evidence in the trial had not described the stark brutality of the guards.

"The English language," said Drew, "isn't built so the real suffering can be described."

Both men displayed scars on their legs and other parts of their bodies which they said were inflicted by guards who beat them and ran them through swamps with chains around their legs.

Stories of Horror Told.

Stories of horror as related by the two prisoners Thursday would rival tales of the darkest pits of inquisition days. In addition to the sweat box, prisoners were forced to walk with long crescent-shaped steel pieces clamped to ankles in such manner that the iron rings bit into the flesh of ankle and calf. They told fearful tales of the use of gun butts, lashes, hard fists of guards, kicks on shin bones and bloodhounds.

"If a captured prisoner was bitten by the dog that tracked him," Drew said, "he was permitted to walk back to camp. But if the dog made friends and failed to bite the convict, he was forced to carry the dog back to camp in his arms."

They told of convicts working while ill—white-faced men "who looked more like corpses than live men."

Asked about other guards than Courson and Higginbotham, Drew and Wofford chorused "they are all the same—"

Wofford added "just — brutes."

Poached House for Food.

Neither hesitated to explain how they made their way from Jacksonville to Atlanta, Wofford said after they left the freight train at Washington they bought food with a small amount of change they possessed. Later, when hunger overcame them, they "prowled" a house, obtaining food, milk and a shotgun, which weapon was found in the stolen car.

Wofford explained they had no intention of using the gun except to pawn for money, pointing out that no shells were in it.

When the interviewer prepared to leave Wofford said: "If they send us back to Sunbeam you'll have another story to write. They'll kill us."

Torture Death Witnesses Flee

10-10-32

Two Long-Term Convicts Escape Jacksonville Jail During Trial Of Guards

JACKSONVILLE, FLA., Oct. 9. (P)—Two long-term convicts, quartered in county jail as witnesses at the trial of two former prison guards for the sweat box death of Arthur Maillefert, New Jersey youth, escaped today.

Cleo Drew and James Wofford pulled a plumbing fixture out of their cell and crawled through the hole to get to a window, where they sawed a bar and slid to the ground on a rope made from bed clothes.

They, with 14 other convicts, who were at Sunbeam Camp, near here, on June 3. When Maillefert was found strangled to death at the end of a heavy chain in a sweatbox, had been called by the State to tell what they knew of the youth's death.

George Courson, former acting captain at Sunbeam Camp, and Solomon Higginbotham, a guard, are on trial for first degree murder in the case.

Last week James Travis, one of the convicts, had testified at the trial that he would not attempt to escape because "we are men of honor."

Drew also had testified at the trial, describing torture methods he said were used against unruly prisoners. Wofford, who had served only two years of a 33-year term for armed robbery, was to

have been called later. Drew recently had started a 15-year sentence for breaking and entering.

Maillefert was found dead in the sweat box, hanging from a trace chain, his feet in heavy wooden stocks. The State charges he was murdered. The defendants say he committed suicide rather than submit to prison regulations.

FLORIDA PRISONS

The exposition of brutality toward white prisoners in the penal institutions of Florida as brought to light following the death of a white man sends a chill up and down the spine of every reader who has a spark of human kindness in his being. The attention of Negroes more especially is centered on the investigation, and they are extremely interested in the efforts of the officials to bring the terrible evil to light with a view of remedying the situation. Reference is made to the fact that Negroes are very likely sufferers to a much greater extent than the white prisoners. If these brutal guards in charge of workhouses and other prisons will administer such cruel treatment to those of their own race, it is hard to conceive just what happens to Negro prisoners in view of their inability to gain the attention of outside friends. If a thorough investigation as concerns the treatment of Negro prisoners should be made in many of these prisons in southern states, it is more than likely that skeletons of hundreds of poor, defenseless and friendless Negroes would be unearthed.

Boasts of Christianity and civilization will not avail our white brethren anything whatsoever until a determined and concerted effort is made by their leaders to suppress the inhuman, unfair and hostile attitude of the mean, prejudiced and ignorant element of their racial group.

Torture Slaying Defense Begins

Witness For Defendants Testifies Of Attempt To Make Death A Suicide

JACKSONVILLE, Fla., Oct. 31.—(AP)—A defense witness in the murder trial of two former prison guards testified today in corroboration of the prosecution claim that an effort was made to "frame" indications Arthur Maillefert, young convict from Westfield, N. J., deliberately hanged himself in a prison sweat box.

The statement of James Birmingham, convict witness, followed testimony by Harry Schneider, also a prisoner, that Maillefert had indicated he planned to hang himself on the chain locked around his neck and fastened to a rafter of the box.

Coy Mitchell, another convict, testified Maillefert told him the night before he was strangled to death that he planned suicide.

The defense brought the prisoners to the stand after Judge George C. Gibbs had refused to direct a verdict of not guilty. The State closed its case against the two former guards, George Courson and Solomon Higginbotham, last night. The men are charged with torturing the young prisoner until he was so weak that, when he was chained by the neck to the little punishment box, he was un-

able to stand and so strangled on the chain.

Defense attorneys, in arguing their motion, criticized the State's evidence as insufficient and attacked the credibility of State witnesses, most of whom were convicts. Judge Gibbs denied the motion without hearing from State's Atty. Charles Durrance.

One of the last State witnesses was Robert Blake, former head trusty at the camp, who testified he had arranged, after Courson told him "trouble" might come from the case, for convict testimony to indicate suicide.

Guilty In Prison Death



GEORGE W. COURSON

Guard Guilty In Convict's Death

Courson Convicted Despite Plea He Treated Youth 'Like A Benign Father'

JACKSONVILLE, Fla., Oct. 31.—(AP)—George W. Courson, who testified in the sweat box murder trial that his attitude toward Arthur Maillefert, young prisoner, was that of a benign father, was found guilty of manslaughter today, but the jury accepted Solomon Higginbotham's story that he applied the golden rule in handling Maillefert and acquitted him.

The two former guards were charged with first degree murder for the death of the Westfield, N. J., youth, strangled to death in a sweat box at Sunbeam Prison camp last June 3, his feet in stocks and hanging by his neck on a chain locked around a rafter overhead.

The jury deliberated only two hours and 16 minutes. The verdict was received with no demonstration in the courtroom and even without visible effect on Mrs. Julia Maillefert, mourning clad mother of the dead youth. Mrs. Maillefert, silent but often weeping quietly as stories of tortures alleged to have been inflicted on her son were told from the witness stand, had sat at the State's counsel table through the two weeks of the trial.

Counsel for Courson filed notice of application for new trial as soon as the verdict was read. The 285-pound for-

mer captain of the camp where Maillefert died said he "hoped for better luck at the next trial."

Higginbotham, younger and much smaller, was automatically released by the verdict.

Mrs. Maillefert had "nothing to say about the outcome of the case at this time."

William Maillefert, brother of the dead prisoner, supported his mother with an arm around her shoulders as the jury filed in. When the verdict was read he went to States Atty. Charles Durrance to inquire what the minimum penalty for manslaughter was. The prosecutor told him the penalty is two to 20 years.

Throughout the trial, in which most of the testimony was presented by convicts who served with Maillefert, the defense contended the youth, despondent over repeated failures to escape, had killed himself. Repeatedly he was quoted as announcing determination to escape the little wooden sweat box June 3, his threatening to commit suicide rather than serve his nine-year sentence of robbery, and telling Courson he was going "to hell if I can't go home."

The State held that he had been so weakened by torture and short rations that he was unable to hold up his own weight in the sweat box and sagged to his death on the chain.

All defense witnesses were called in behalf of Courson, Higginbotham alone testifying for himself.

'Torture' Slayer Given 20 Years

Former Prison Guard Gets Long Sentence In Death Of Young Florida Bandit

JACKSONVILLE, Fla., Oct. 29.—(AP)—Twenty years at hard labor—the limit of the law for manslaughter—was the court's answer today as George W. Courson, former prison guard, pleaded for mercy in the death of Arthur Maillefert, strangled to death in a sweat box last June.

At the same time Judge George Coupgibbs denied Courson a new trial. Bond was fixed at \$10,000 pending an appeal for which 90 days was allowed.

"Your act was so culpable, so negligent, and with such disregard for the life of the deceased," Judge Gibbs told the prisoner, "that while it is with deep regret and sorrow I must now pass sentence, it is now my duty to remand you to the sheriff of Duval County to be turned over to the proper authority at the State Penitentiary, to serve the full term in this cause—20 years at hard labor."

Courson, a huge figure of 285 pounds, stood apparently unmoved as the sentence was pronounced, swaying slightly from heel to toe and back again as the judge spoke. He sat down with his attorneys while the amount of the appeal bond was argued, and one of his sons came over to pat him on the shoulder. Previously States Atty. Charles Durrance had told the court the "jury has

given this defendant every bit of mercy he is entitled to" in returning the manslaughter verdict.

Courson and Solomon Higginbotham, another guard, were indicted for first degree murder. The State demanded the death penalty for both, but the jury acquitted Higginbotham and found Courson, acting captain of Sunbeam Camp at the time of the Westfield, N. J., youth's death, guilty only of manslaughter.

Asked whether he had anything to say before sentence was passed, Courson said to the court:

"Only this, your honor, that you will give me mercy and be as lenient as possible."

C. A. Avriett, attorney for Courson, said he hoped to raise the \$10,000 bond during the day.

Young Maillefert was found dead in the little wooden sweat box June 3, his neck chained to a rafter and his feet in stocks. The State introduced testimony that both defendants had threatened the youth, and that he had been beaten and ill treated, stressing a story that Maillefert was weak from exertion in an attempt to escape and from starvation when he was chained in the box.

The defense countered with a theory the boy deliberately strangled himself in preference to completing a nine-year term for a filling station robbery. He was pictured as defiant, sullen, and determined to escape or die, and was quoted as threatening suicide on several occasions.

Courson testified he had taken a fatherly attitude toward the young prisoner in an effort to "make him do better" and denied he had ill treated him. Higginbotham said he had dealt with Maillefert "according to the golden rule."

In reviewing the evidence today, Judge Gibbs recalled testimony that the boy had been beaten at the camp with a rubber hose and told Courson "you should know that is against the law in this State." He mentioned convict witness' testimony that Maillefert had been given a half pint dose of castor oil when he complained of being ill, and had been beaten when he refused to take a second dose of the same size. The judge also reviewed evidence that the prisoner spent two nights preceding his death in the sweat box, one of them clothed only in a barrel in which he could not sit down, and recalled testimony that guards "stood around and laughed" at Maillefert's efforts to get up when he was rolled out of the sweat box in his barrel.

Florida's Own "Devil's Island"

THAT CHAIN AROUND HIS NECK is not tight enough! He can still drink water." *Literary Digest*

But the guard of the Sunbeam convict road camp, near Jacksonville, Florida, was mistaken. For when they next opened the door of the "sweat-box," the sagging body showed that twenty-two-year-old Arthur Maillefert had died of strangulation. *Digest*



"Sunbeam's" Victim

Arthur Maillefert, who strangled to death in the Sunbeam Camp "sweat-box."

"The guards and favored convicts kept repeating the same story—that the boy had been well treated and had committed suicide. . . .

"I finally slipped away from the captain and his mouthpieces and found a prisoner who told me the boy was wearing stocks in violation of law when he was put into the sweat-box.

"The captain had said nothing about stocks, because the stocks smashed his story of how the boy died. With stocks on his feet, he couldn't stretch his body at a 45-degree angle. The stocks held him rigidly erect until he collapsed, and then the chain would strangle him.

"I found the stocks hidden in the brush near the sweat-box, where the prisoner told me the captain had thrown them when the boy's body was taken from the box.

"I realized then the captain's story wasn't true. These stocks were two half-inch boards, in which small holes had been cut, through which the youth's legs were thrust.

"Then the two boards were nailed to crosspieces in such a fashion that, after the boy was dead, the stocks had to be sawed from his body.

"I then procured a warrant charging Courson with second-degree murder. After arresting him, I talked with other convicts, not the trustees picked for me by Courson. The other convicts told me in Courson's presence that the guard, Solomon Higginbotham, was as much to blame for the boy's death as the road captain.

After hearing these accusations, I asked Higginbotham to

come back to Jacksonville with me. On the way in, I secured another warrant charging him with second-degree murder. "I firmly believe that boy was tortured to death."

THE world shudders at the tales of Devil's Island, at the horrifying stories of France's penal colony in Guiana, exclaims the Jacksonville *Journal*, courageously facing the facts revealed in the three days' hearing which resulted in the holding, under bond, of Capt. George Courson and Guard Solomon Higginbotham for trial. Under the title of "Our Own Devil's Island,"

The Journal demands: "Is it possible that we have a Devil's Island of our own right here in Florida?"

"How much torture is being administered to human beings in other Florida road camps?"

"Florida has suffered before in the eyes of the world because of prison-camp horrors. It is time we became civilized."

To sharpen the stinging irony of the tragedy, Florida papers point out the "sweat-box" was legalized as a substitute for whipping convicts as late as 1925. A similar case, the death of a "leased" convict named Martin Tabert as a result of whipping (reported in *THE LITERARY DIGEST*, April 21, 1923) resulted in the abolition of the lash in Florida. Now, insists the *Miami Daily News*, the "sweat-box" must also go:

"The lash, the sweat-box, and the stocks! Symbols of a dark age Florida sought years ago to end by legislation still exist. "Sunbeam Camp has been abandoned. The State should not rest until the last trace of the savagery it represents has been uprooted. Mere legislation has proved insufficient, but a people aroused by this latest outrage can not fail to enforce its decree."

Refusing to gloss over the horror of the present case, the *Miami Herald* nevertheless asks the country at large to face the touchy problem of disciplining some 3,000 convicts:

"Under our present prison system the only punishment the authorities can mete out is incarceration in a sweat-box, which is everything the name implies. "This sweat-box case may result in thousands of people not familiar with the true facts demanding that State prisoners be withdrawn from road work, and the sweat-box and every other corrective instrument banned. "The public should not condemn the sweat-box too strongly without first inquiring into the kind of men who are set over the

J. R. E. Lee Appointed

Head of Educational Work in Fla. Prisons

TALLAHASSEE, Fla. — President J. R. E. Lee of the Florida A. and M. College has accepted an appointment to initiate an educational program for colored inmates of the Florida State Penitentiary at Raiford. President Lee was asked to take charge of the work by Super-

prisoners, men working for \$55 to \$60 a month.

"If our prison system is at fault in one particular, it also is at fault in the other. Both have contributed to the Maillefert death."

A Florida prison camp, adds the *Tampa Daily Times*, "can not be successfully conducted along the same lines as a women's missionary society; there must of necessity be strict discipline in a prison camp." Nevertheless, this daily refuses to condone brutality:

"The people of this State believe in proper punishment for those convicted of crime. They do not believe that barbarity should ever masquerade as proper punishment."

No less indignant is the *Tampa Tribune*, which insists that the "sweat-box" must be abolished:

"There is need of another outburst of public indignation and of further legislation prohibiting the use of the sweat-box. Florida must act as it did in the case of Martin Tabert ten years ago. The box must follow the lash into outlawry."

intendant Chapman of the Florida State prisons.

During a tour of the prison, President Lee interviewed many of the prisoners and was given an opportunity to address all the colored prisoners. The Florida A. and M. Quartet, under direction of Prof. F. E. James, entertained with folk songs and Spirituals for three-quarters of an hour.

There are 900 colored inmates in the prison and it is expected that educational classes will be started for them with the beginning of the school term in the fall.

2 GUARDS OUSTED IN FLORIDA PROBE

Abuse of Prisoners Is



International

In the "Sweat-Box"

County Detective W. H. Gasque photographed in the torture cell.

Laid to One Official in Dismissal Charges.

Constitution

TALLAHASSEE, Fla., Aug. 6.—(P)—Dismissal of two prison guards, one for beating and cursing convicts and the other for falsifying about the attacks, was announced today by Nathan Mayo, head of the Florida prison bureau. *Atlanta*

The dismissals came with a far-flung investigation of deaths and stories of cruelty in state penal camps that started soon after Arthur Maillefert, a youthful convict from Westfield, N. J., was found strangled to death in a "sweat box" with a chain harnessing his neck and his feet bound in stocks. *7-7-32*

Mayo said the guard dismissed for abusing the prisoners is Mack Hines. The other, a guard named Floyd, "lied to me" about the way Hines acted, Mayo added, and he, too, was ousted.

In addition, Guard E. L. Stewart, who was involved in the shooting of J. J. Dennison, a prisoner from Philadelphia, resigned during the investigation, as did a guard named Gaf-

ford.

Mayo said prison authorities have asked the Osceola county grand jury to investigate the shooting of Dennison at a camp near Kenansville because of conflicting testimony.

Dennison charges Stewart shot him with a pistol as he lay on the ground with gunshot wounds inflicted by another guard. Guards and convicts told different stories, however, and not one of them agreed with Dennison's version, Mayo declared. Some of the prisoners said Gafford shot Dennison and others blamed Hines but none mentioned Stewart.

The commissioner absolved other prison camps he inspected of cruelty charges and exonerated guards for killing Harold Bradley, of Loretta, Pa., at a camp near Indiantown and B. B. Reynolds, of Pensacola, who was shot at the same time Dennison was wounded.

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In Florida Ended

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The Negroes struck Tuesday and demanded "more and better food," camp officials said. They barricaded themselves in the camp's sleeping quarters.

Sixty-eight, the prison camp's full population, began the strike Tuesday but all but the 32 crawled out of a hole cut in the building after bombardment of tear gas.

PRISONERS TELL HARROWING STORY OF CAMP CRUELTY

Officer Told No Inquest Was Necessary as He Sought Facts About Strangulation of Young Florida Convict. WITNESSES STRIKE AT STOOL PIGEONS Fellow Prisoners of Dead Boy Declare He Was Victim of "Chain Gang Rats."

JACKSONVILLE, Fla., Oct. 7.—

(P)—W. H. (Buddy) Gasque, Duval county detective, on whose investigation the state ultimately indicted two Sunbeam prison camp guards for first-degree murder of a young New Jersey convict, gave a vivid description of conditions at the camp from the witness stand at the trial today.

He indicated George Courson, who was captain at the camp then, and who with Solomon Higginbotham, a guard, are under indictment for the murder of Arthur Maillefert, was reticent to allow him to make his investigation the night Maillefert was found dead in the camp sweat box, strangled to death with a chain about his neck and his feet in wooden stocks.

"Courson told me," Gasque said, "that he had a paper from Judge Youngblood (a justice of the peace in South Jacksonville) that said an inquest would not be held."

The detective said he finally was allowed to make an investigation.

Found Stocks.

He described how he found the stocks in the prison camp yard, and asked Courson "if the prisoner had those on when he died."

Courson was quoted as saying "Yes," Gasque then looked in the sweat box. "It was in a very unsanitary condition," he said.

"I found the chain still hanging from the rafter overhead," the detective said. He said Courson admitted after he had questioned him that Maillefert had been chained up by the neck and died that way.

Gasque quoted Courson as saying "Jersey" (that was Maillefert's camp nickname) "was determined to run away and I was just as determined to keep him."

The next day, Gasque said, he returned to the camp. "Courson wouldn't let me inside the stockade while I had my gun," he said. "I turned the gun over to the captain. 'I went inside and asked a group of prisoners if they knew anything about the case.'"

"We know plenty," about a dozen men replied.

Lurid Testimony.

Before the county detective took the stand other convicts added their testimony to the lurid picture of events surrounding the death of Maillefert.

James H. Travis, serving 12 years for robbery, said that after the youth's death Captain Courson approached him saying:

"Travis, I appreciate the attitude you boys have taken in this, but you are on the wrong side of the fence. 'The gate is wide open for you to get on my side.'"

"I laughed in his face and walked away," the witness declared.

Travis and E. L. Smith, another convict who served along with Maillefert in the Sunbeam camp, where the death occurred, drew spectators tensely forward as they described methods they claimed the guards used to subdue Maillefert.

The day before the youth died, Smith said, Maillefert was placed on the convict, fastened by planks and straps, and he was allowed to roam about the camp yard in the rain.

Maillefert fell down because of the

barrel and had difficulty getting to his feet.

"Captain Courson and some guards stood by and laughed as he tried to get up from where he fell on the ground in the rain," said Smith.

Both men related how Maillefert gnawed his way out of the barrel and, naked, fled the camp to be recaptured soon in the woods near by.

Travis said Maillefert tried to escape because he was being persecuted, that many untrue stories were told about the youth.

"They (the guards) just work men until they drop," said the witness. "The only way you can get along is to be a chain gang rat—go to the prison, win their confidence, add a lot to what they tell you and go tell the authorities so you can be a trusty. It's a stool-pigeon system."

"That's why Maillefert is dead today—because he was accused of a lot of things he never did."

"If you ain't a stool-pigeon at camp you don't get along."

"You wouldn't tell anything favorable to Courson or Higginbotham?" asked Fuller Warren, counsel for Higginbotham.

Knows Little Favorable.

"Ask me a question," the witness replied, "and I'll tell you, favorable or not, but I'm sorry to say I know very little favorable about them (the defendants)."

Smith lay down on the floor of the courtroom and showed the jury how the stocks were nailed on Maillefert. After the stocks were placed, a chain was tied and locked around his neck, said the witness.

"A couple of little dogs came up about that time and began to lick Jersey," said Smith. "The convicts called Maillefert 'Jersey.'"

Higginbotham and another convict he said, went inside the sweat-box and locked the chain up to a rafter.

"Jersey asked for some water and Higginbotham said: 'That chain ain't tight enough if he can drink water.'"

Smith said he helped prepare Maillefert's body. He said he asked Courson: "Ain't there going to be no inquest?"

"We will attend to that later," he quoted the captain replied.

C. A. Avriett, counsel for Courson in cross-examination asked:

"What was your interest in asking if there would be an inquest?"

"I have seen many men die when there would be no inquest," Smith replied.

"What was your interest in this case?"

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When Maillefert was returned from his attempted escape, Smith said Higginbotham ordered the youth to jump off the truck in which they rode.

"Then somebody made one of the dogs jump off the truck, Higginbotham told whoever it was: 'Don't make them dogs jump off that truck—they might hurt themselves.'"

"Then Higginbotham ordered a dozen eggs and some gun power for the dogs (bloodhounds)."

"While Jersey was in the sweatbox, did you hear him say anything?" asked Avriett.

"Yes, he told a boy named Swartz he didn't think he could last all night," Smith replied.

"Did they give him any water?"

"Yes, sir."

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"Yes, sir," replied Smith, "and Higginbotham said: 'That damn chain ain't right enough, he can still drink.'"

Warren asked Smith:

"Whose shirt and tie was that you put on Maillefert's body when you dressed it? Didn't Higginbotham donate them?"

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Smith had testified that Maillefert's body bore bruises "where they had whipped him."

The defense had objected to the testimony about the alleged whipping and were sustained.

Prison 'Suicide' Bared As Fraud 'Torture Death' Witnesses Testify To Brutality Of Guards In Road Camp

JACKSONVILLE, Fla., Oct. 10.—(P)—The prosecution rested its case in the Arthur Maillefert "sweat box" murder trial at 8:35 o'clock tonight. Court recessed immediately until tomorrow.

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Judge George C. Gibbs allowed the testimony to stand, over vigorous defense objection, as applied to Courson, but instructed the jury not to consider it in connection with the case of Solomon Higginbotham, the other defendant.

Bob Blake, who was head trusty at the Sunbeam Camp at the time the Westfield, N. J., youth was found strangled to death in the little wooden structure with a chain around his neck and wooden stocks on his feet, testified also that he had seen Captain Courson beat Maillefert with a heavy rubber hose.

Whipping of prisoners is illegal in Florida, the sweat box having been substituted as a means of punishment.

"Bob, there's liable to be trouble over this," Blake said Courson told him after Maillefert's death.

"Yes, Cap'n, it is a pretty tight spot," the trusty said he answered.

"He told me to go in and get him five or six witnesses who might be able to clear him at the trial. I did. After I went out I told Courson I thought he had a story that would hold water."

He started to detail the story as he said it had been "framed" but was interrupted by the defense objections. The

jury was excluded while argument was heard over admissibility of the testimony. He resumed when the jury returned.

He said he told Courson "Snyder is going to testify if it comes to trial that Jersey (Maillefert) told him he was going to commit suicide that night. Several others of us were going to corroborate it." The witness said it had been arranged for "Snyder," not otherwise identified in testimony, to say Maillefert had demonstrated in the box how he was going to kill himself by deliberate hanging on the chain.

"Courson said, 'all right; what am I supposed to say?'" the witness went on. "I told him just to back up that story. He agreed."

Blake described the hose he said Courson used on Maillefert as "about a three-inch hose and about 18 inches long." He said it was hose "such as is used in coupling box cars."

The trusty said he witnessed the incident by accident, having returned from a road job to the camp for more tools to find "Courson and others working out on Maillefert." He said Courson was wielding the hose.

That occurred, Blake testified, on June 1, after Maillefert had returned to the camp from a working party, claiming to be sick.

The witness then described occurrences of the following day when he said the young convict was placed nude in a barrel which was attached to him by straps and boards. He identified the barrel which the State introduced in evidence.

"Courson," Blake testified, "nalled on a board on the back of Maillefert's neck, another in front of his neck."

"Jersey said: 'Capt. Courson, you are putting that one on too tight.'"

"Courson replied: 'I don't give a damn if I am.'"

Maillefert died in the box the next day.

After a moment's hesitation over his answer, Blake testified he cut the straps which allowed Maillefert to free himself from the barrel and try to escape. Previous testimony had been that Maillefert gnawed free of the barrel.

"Why did you cut them?" State's Atty. Charles Durrance asked.

"To give the boy a chance for his life," Blake answered.

The trusty said the agreed suicide story was told to F. P. Youngblood, justice of the peace at South Jacksonville, by Courson, adding:

"He told him how he had been good to Jersey and had tried to make a man of him. He told how Jersey was just determined not to make his time."

"Mr. Youngblood looked at the chain mark, snapped Jersey's collar back in place, and shook his head, saying: 'It's nothing but a plain case of suicide.'"

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Two prisoner-witnesses in the case, who sawed their way out of the county jail last night, remained at liberty despite a widespread search. Cleo Drew, serving 15 years, had already testified, and James Wofford, serving 33 years, remained to be called.

This afternoon the jury was taken to the prison camp to inspect the surroundings and to look at the sweat box.

Durrance charged at the opening of the ventilator had been made much story of brutal treatment to prisoners at Sunbeam.

Previous witnesses had said the box was less than the prescribed three feet square.

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Crime-1932

Fla. Citizens Resent Outrage

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According to eye witnesses to the incident the women prisoners were brought into the city limits from the county prison in a truck clad in prison stripes. They were forced to unload heavy timber in the plain view of passersby for most of the morning.

The Negro Welfare Council here through its executive secretary, Joe H. James Jr., in a letter to the county commissioners termed the incident "the greatest act toward the demoralization as well as the humiliation of the womanhood of our group." Going further the letter stated: "To work men and drive them under the fear of the lash at eventide, while guarded under heavy firearms, is within itself bad enough; but to place women, regardless of race, as common beasts of burden in this civilized age, what shall we call it?"

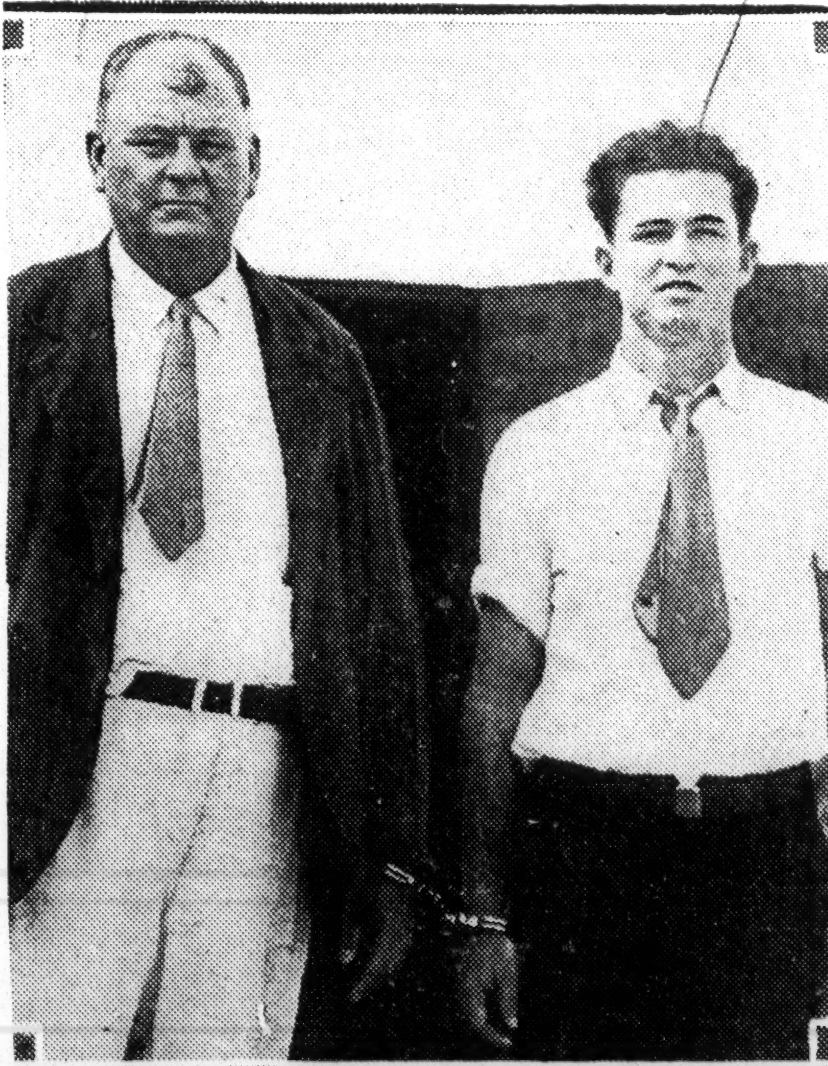
Force Colored Women Prisoners To Work On Road Chain Gang In Fla.

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Warden, Guard on Bond In Death of Young Convict



Captain George Courson (left), warden, and Solomon Higginbotham accused of murder in connection with the death of Arthur Maillefert, young New Jersey convict in their custody at a prison camp near Jacksonville. (Associated Press Photo.)

JACKSONVILLE, Fla., July 9.—young New Jersey convict. (P)—Captain George Courson and Both were indicted for first-degree murder and the charge still stands. Solomon Higginbotham, state prison camp guard, today furnished \$5,000 Circuit Judge George Couper Gibbs bond, each, and were released from last night admitted the prison officers custody to await trial in September following a habeas corpus hearing for the death of Arthur Maillefert.

Maillefert was found strangled to death in a prison camp sweat box on June 3, a chain about his neck and his feet encased in wooden stocks. He had been trussed up by camp officers to prevent him from escaping, following his recapture that day, after the youth had made a short-lived dash for freedom.

Because of its "demoralized condition," Sunbeam prison camp, where Maillefert died, will be abandoned by Monday, M. V. Duncan, state highway engineer, announced today. The prisoners and all their equipment will be transferred to Raiford, the state prison farm, "because a general atmosphere of unrest prevails at Sunbeam," prison bureau officials said.

The 75 convicts at the camp have been working a year preparing a 13.3 miles cut-off on the St. Augustine highway to Bayard. The men will be kept at Raiford temporarily and farmed out to other highway camps as the need arises, it was said. The convicts who testified before the grand jury in the Maillefert case will be kept at the farm until final disposition of the trial.

The work on the St. Augustine Bayard cut-off has been 80 per cent completed, and highway officials said it likely would be finished by private contractors.

Convicts Testify In Florida Death Probe

JACKSONVILLE, FLA., July 7.—(AP)—Sun-tanned convicts in wide, striped trousers today told Judge George Gibbs stories of floggings, beatings, "sweat boxes" as the jurist investigated the death of Arthur Maillefert, 19-year-old New Jersey youth, in a prison camp.

Judge Gibbs personally inspected the sweat box where Maillefert was found dead, hanging by a chain about his neck and his feet encased in wooden stocks.

Capt. George Courson and Guard Solomon Higginbotham, indicted on first degree murder charges in Maillefert's death are seeking release on bond pending their trial.

The "gunmen," those who serve under armed guards, and the trusties were at variance on several major details in their stories.

Foreman Of Florida Grand Jury Which Indicted 2 Prison Guards. Threatened

JACKSONVILLE, FLA., July 14.—(AP)—Al F. Gorman, foreman of the Duval County Grand Jury which recently indicted two prison camp officers for the "sweat box" death of Arthur Maillefert, young New Jersey convict, today received a threat of death through the mails.

The crudely lettered note told Gorman "there are ways of dealing with people who don't mind their own business." It said if he did not stop his investigation of prison camp conditions he would "go out, but not by the chain."

Young Maillefert was found strangled to death in the sweat box at Sunbeam Prison Camp near here, a chain about his neck and his feet in stocks.

The letter, printed with a pencil, was

postmarked from Starke, Fla., near Raiford, where the prison farm is located and was signed "you know who."

But Gorman insisted he didn't "know who." He expressed the belief that it was the work of a crank, "but then," he added, "it's fanatics who bump people off."

He had not decided whether to turn it over to Federal authorities.

Gov. Doyle E. Carlton earlier in the day had issued a statement in which he described Maillefert's death "a rare exception in the prison life of Florida."

The two camp officers under first degree murder indictments, Capt. George Courson and Guard Solomon Higginbotham, will be "vigorously prosecuted," the Governor said, "for the methods they employed at Sunbeam."

The Governor said "on the whole our prisoners are well cared for and well treated."

"We do not condone in any fashion the treatment accorded Maillefert and the State in prosecuting the case in the most vigorous fashion to the end that justice may be done."

"Even this case, however," he added "is not totally one-sided. Maillefert was a bad man. He was determined to beat the law. He attempted to commit suicide on two occasions before. . . . The particular punishment administered in his case was the first of its kind in our prison life and was unknown except to the camp officials, is thoroughly condemned by the higher prison authorities."

"We propose to see that the prisoners are fairly treated and at the same time that prison discipline is maintained. A one-sided publicity given to this exceptional case is unfortunate and is not a fair picture by any means of the Florida prison."

AND NOW FLORIDA

THE public press has exposed what is termed a "torture death" of a convict, 19 years of age and white due to unusual abuse by prison officers in control of a convict labor camp.

The description of the punishment imposed upon this young white man reads like another age. The young man, in a nude condition, was placed in a barrel, his head protruding through the top, and the only way he could extricate himself, according to reports, was by gnawing the barrel with his teeth until the opening was large enough to allow him to escape. This torture took place in what is commonly called a convict camp employed to house convict labor used for building roads. The young man was sentenced to serve nine years on a charge of robbery, and for some infraction of the rules he was shackled about his neck with a chain and placed in this so-called sweat box and kept there until he died from exhaustion. The only justification the officers gave for this treatment was the charge that he had attempted to escape the chain gang.

To those who do not know, let it be said that the so-called chain gang is a torture peculiar to itself. A prisoner is sentenced to serve a number of months or years and he is taken out of prison and placed with a gang of men, who, under the pressure of a rifle, are forced to work upon the highways of the State. In order to avoid their escape and to make their enforced servitude more emphatic, they are chained together, usually with enough cable to permit them to work, and this practice has been prevalent in many States of the South.

The case arising in Florida has aroused public attention to chain gang practices. The State of Florida has arisen in indignation against the treatment accorded this young white man. The prison guards have been charged with first degree murder, but have been released, according to reports, under \$5,000 bonds. It required a case like this to induce the chairman of the State Road Department to order convict camps closed, and the convicts on the road were transferred to a State farm.

Just where these prison guards got the idea of prescribing their own kind of punishment for convicts is difficult to understand. If State authorities have prescribed such brutality for members of the chain gang, they, themselves, are guilty of murder, and if they have not prescribed any such treatment, then it remains for the public to preclude that these guards who are responsible for the death of this young man concocted, out of their own wicked hearts, the type of brutality visited upon their victim. It is difficult to imagine now a human being could contain in his soul enough wickedness, enough brutality, enough recklessness of consequences, to chain a fellow human being and inclose him in a barrel and torture him to the point of death. Yet we have the reliable report that such a human being actually lives in the State of Florida and that this human being is a white man, and his victim is also a white man. It must require a peculiar environment for such wickedness of heart to find opportunity for development. There must be an atmosphere which is conducive to such brutality, and that environment seems to be peculiar to the South. Certainly, criminals have been found to live in the North and in the West, but surely no section of this country, in recent years at least, has permitted to grow up such a wicked-hearted individual as the man who

tortured his fellow being to the point of death.

It is hoped that the proper authorities of Florida will mete out to these depraved and heartless white men the kind of punishment their crime deserves. As an example to other people, their punishment should take suitable form, and the execution should be prompt and without delay. If these white guards would torture another white man in the manner described, what in the name of Holiness would they prescribe for a Negro under the same circumstances? We shudder to think of what might have happened had the victim been black. God only knows what has already happened to many a black boy who went to the chain gang as a short cut to the grave.

SOUTHERN PRISON SCANDAL

Once more the unbenevolently Heelish conditions incorporated in Southern prison life has been exposed to public gaze.

As usual prison guards are charged with first degree murder. The case grew out of the death of a white inmate of a Georgia prison camp. We are told that this latest victim of Georgia official brutality was actually tortured to death. Details of the occurrence are a disgrace to civilization and an essence of revolting savagery. After administering a severe beating the guards are said to have placed the man in a "sweat box."

But that was not enough; the guards did even more, they placed a chain around the prisoner's neck. The result was slow death, and quite naturally so. For only a superhuman creature would have been able to withstand the effects of such heartless treatment. It is significant to note that the victim of this evidence of extreme cruelty was a 19-year-old New Jersey boy; a typical northerner. We see in the murder an exposition of traditional hate, animosity, cowardly treachery. In other words the war of the rebellion still rages—in the hearts of elements of the sons of Dixie. We know of no case in which southern whites have been subjected to such damnable punishment in the prisons of former rebels. God only knows how many of our group have thus been cheated of their lives; slaughtered like so many wild beasts in these pest holes of slow death and rank southern injustice. We are convinced that the number is appallingly large; that if brought out in the light of publicity the number of non-represented Negroes deliberately murdered in Southern prison camps would

amaze the world. Had this New Jersey boy been a colored youth, comparatively little, if any thing would have been said about his murder. Had all those Negro victims of the same system been white citizens a stop would have been but long ago to this official method of slow death by torture in southern prisons.

We heartily agree with the popular demand that those responsible for the recent Georgia prison murder should be tried and punish like any other deliberate murderer. Commonwealths that permit such horrible practices are a disgrace to civilization.

ILL-TREATING CONVICTS

Quite a sensation is being created in Florida on account of the severe treatment and subsequent death of a white convict on the chain gang of one of the counties of that state. Several arrests have been made. Similar complaints are being made in other places, even about the punishing of suspects while grilled for evidence by being given the "third degree." In our own state, in Spalding county, the white warden has been arrested charged with the murdering of a colored convict. The convict died, allegedly from sun-stroke. Under cover rumor caused an investigation when it was found that the convict's skull was fractured, resulting in his death. The arrest of the warden followed and he is now awaiting the action of the grand jury of that county. It is surmized that there are many other cases where convicts met death under similar circumstances, but the real facts were never made public, not mentioning the ill-treatment accorded them. In the Florida case, if a white convict is treated as cruelly as was the white man who died from the result of his treatment, then it can be imagined just what kind is accorded the colored ones. In Georgia the lash is prohibited, but it seems as if a more cruel form of punishment is being inflicted, and not sanctioned by the state.

Guards Declare Maillefert Was Given Kind Treatment

JACKSONVILLE, Fla., Oct. 13.—(P)—Arthur Maillefert, who died in a sweat box at Sunbeam prison camp last June, was dealt with as a fatherly by one defendant and according to the Golden Rule by another, two former guards on trial for his murder told the jury today. The defense rested its case after Solomon Higginbotham unshakably held to his story that he only knew Maillefert for about three days before the youth's death, had never been cruel to him nor threatened to kill him, and "didn't do anything to him I wouldn't have anyone do to me."

Higginbotham followed George W. Courson, acting captain at Sunbeam when Maillefert died, and who lost his composure and wiped a tear from his eye today as he said under cross-examination he would have given the boy his own food had Maillefert asked for something to eat while in the punitive cell. Courson is a former resident of Douglas, Ga.

Courson, who remained on the stand much longer than Higginbotham, related that Maillefert had been most unruly, had pretended sickness, attempted constantly to escape, and paid no heed to kindly admonitions or light punishment to reform him.

When Maillefert refused to work and was brought to the camp, Courson said the young convict told him, "If you do not kill me, you are yellow." The captain said he replied, "Then, I must be yellow because I am not going to kill you. I'm going to keep you."

Courson said when he had Maillefert put into a heavy barrel he knew the youth could escape and that he did get out on two occasions before making a dash for freedom through the woods.

Courson detailed his version of the events leading to the fatal imprisonment in the box. He said all his admonishments were without avail, and he felt he was doing his duty to fix Maillefert so he could not escape. He ordered the stocks placed on the boy's feet and the chain around his neck to keep Maillefert from tearing up the stocks. The prisoner remained chained in the box for about two hours before the door was locked and the guards and convicts went to supper. Soon, a trusty came and said Maillefert was behaving queerly. The key was sent, the door opened and the boy was dead.

On cross-examination, Courson admitted the punishments he gave Maillefert were "to break his spirit."

"Why did you tell him after you had him hung up that if you heard anything out of him you would chain his hands to the wall?" demanded State's Attorney Charles M. Durrance.

"To keep him from trying to tear those stocks up," Courson replied.

"Didn't you say on direct testimony that you only intended to keep him there until after supper?"

"Yes, sir."

"Then, how in the name of God did you expect him to get out in that time?"

Durrance drew from the witness that Maillefert had been in the camp three months before he first was placed in the sweat box and asked why the youth had never been placed there before.

"I put it off as long as I could," the captain replied. "I thought a sweat box was a disgrace to any road camp."

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"You say he asked you to murder him there in the yard?" asked Durrance.

"He told me I was going to have to."

"When you put him in the sweat box, did you give him water?"

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C. A. Avriett, counsel for Courson, asked Long if cuts on Maillefert's lips could have been caused by a knawing on a barrel from which it had been testi-

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"What made you notice those stocks?" asked Charles Durrance, State's attorney.

"While I was talking with Courson," the witness said, "Faster Hill, a guard with a gun, kept nudging me. He pointed out the stocks behind the sweat box."

Avriett dangled the chain which the detective said he found still hanging in the sweat box, and asked him if it had been "bothered" when he first saw it.

"So far as I could see, no," was the answer.

"When you talked with the convicts was Courson with you?"

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(The term "gun man" has been defined in testimony as meaning a convict who is under constant guard).

"What did these men say when they told you Courson had been good to Maillefert?"

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FLA. PRISONERS GREET U. S. S. R. Letters Expose Prison Horrors

JACKSONVILLE, Fla., Nov. 14.—“From the hell holes of Florida Prison we send our fraternal salute to the workers of the Soviet Union on the 15th anniversary of the Revolution,” reads part of the letter from the Florida class war prisoners who have been confined for over a year because they dared to demonstrate on Tampa streets in celebration of the Russian Revolution last year. “But, despite of the bosses’ terror our comrades are still ready to fight for the triumph of the working class.”

Other letters from prisoners of the Florida State Farm, smuggled out on sheets of brown paper confirm the horrors, now being exposed in the Daily Worker, of virtual slavery and torture for Negro workers. “The Negro women, some 110 of them, are worked from sun-up to sun-down, sick or well,” writes a prisoner, “and if they go to bed ill, the prison doctor doses them with epsom salts or castor oil. If they can not go back to work—then the sweat box.”

Scarcely had the jury which convicted George W. Courson, Florida convict boss, of manslaughter in the death of one of the men in his charge, before his attorney issued a statement that he “never expected to see his client serve a day.” Notice of appeal for a new trial was at once given.

This means, of course, that recourse will be taken to the technicalities of the law in the effort, by hook or by crook, to make it possible for the convicted man to escape the punishment which a jury has said he deserves.

No better illustration could be presented of the extent to which justice, and the public interest, is suffering from the appeal system which has grown up in the courts of the United States. There is no thought of accepting the decision of the jury in ninety-nine cases out of a hundred.

Instead recourse is taken to the devious ramifications of the law as a matter of routine in every case that goes against the defendant. Appeals are made for rehearings, for new trials, and for overrulings of the trial court’s decisions in the hope that during the long course

of these lengthy proceedings some way will be found by which a guilty man may wiggle out of his just deserts.

It is not unusual for such appeals to stretch out over a period of years, during which witnesses die or pass beyond the jurisdiction of the court and others are worn out and disgusted at the legal delays which take them away so often and so long from their private affairs.

It is not to be wondered that under such conditions even the courts and prosecuting officers become discouraged and slacken up in their efforts to secure just punishment for those who have broken the law.

A striking example of this natural break-down in the virility of the courts is to be found in the discovery last week that an Atlanta murderer who had been sentenced to be hung was a “forgotten man” in the local jail until months after he had been supposed to have paid the penalty for a revolting crime. It is difficult to severely blame the authorities for such an apparently inexcusable oversight when it is borne in mind that this man had been sentenced several times and in each instance the sentence stayed incident to long-drawn-out appeals.

Such conditions of court procedure constitute a major contribution to the present unbearable burden of governmental upkeep not only on the taxpayers of Fulton county but of every other county in Georgia.

Court costs in Atlanta, with little more than a quarter of a million population, are, in all probability, half as much as those in the city of London, with its 7,000,000 population.

When a man is brought before a court in England his case is settled, in most instances, in as many days as an American trial takes weeks, and, except in rare instances, the verdict rendered by the jury is accepted and put into immediate effect. There are no delays incident to long-drawn-out discussions of technicalities and no appeals made for the sole purpose of defeating a just sentence.

So while English justice is certain and economical, American taxpayers are being burdened with the heavy costs of court hearings of all kinds, resorted to by criminals who

hope, through technicalities or long delays, to be able to “beat the rap.”

In the long run the taxpayers are the sufferers. Not only are the costs of sustaining our courts made unreasonably heavy, but law enforcement is made more expensive and delays in civil hearings cause unnecessary losses to business.

At a time like the present, especially, it is an unquestioned duty of citizenship of the members of the bar to lead in the efforts to simplify and speed up, in the interest of economy, our system of jurisprudence.

How easily possible this is, is forcefully illustrated by Ben Ward in an article in the current issue of the Southern Labor Journal.

Re-citing that while serving as a juror, two out of three scheduled murder cases were carried over, Mr. Ward expresses his “resentment for the taxpayers of my county over the failure of the attorney for one of the accused to have his witnesses present.”

The carelessness, or deliberate attempt at delay by this attorney, is further commented upon as follows by this indignant taxpayer:

There was court machinery ready for work, the judge and all his assistants, the prosecutor and a panel of 60 jurymen, each of the 60 drawing \$3 per day of county money. The case was called, the defendant was there, a dozen witnesses for the state were on hand, also drawing county pay, and the attorney for the accused discovered only that morning that his witnesses hadn’t showed up. Justice demanded carrying over the case to the next term.

That attorney’s failure cost the county several hundred dollars, but so far as I could see he was little concerned about the matter and no one rebuked him. Such episodes in court, and they are many, fret any layman who is concerned about the costs of government.

Unfortunately such squandering of the taxpayers’ money is by no means unusual. It is just one of the many avenues of escape by which attorneys for accused men try to avoid just punishment for their clients through long legal delays—at the expense of the taxpayer.

The Georgia Bar Association at its last annual meeting took steps looking towards the elimination of the technicalities responsible for

most of the objectionable features of our present legal situation. A special committee was named to prepare suggestions for sweeping

changes in the court procedure of Georgia.

This program of legal reforms will be submitted to the next session of the general assembly. It should have the support of every lawyer in Georgia, and it is to be hoped that the bar, as a whole, will act firmly in the case of any of its members who, for selfish reasons, may oppose this vitally needed reform.

CONVICT LABOUR

Slavery Again in the Southern States
Manchester Guardian Weekly
(From our New York Correspondent.)

Shocking conditions have recently been revealed in a number of Southern States as to the ill-treatment of negro and white prisoners and conditions of virtual peonage. The precipitating incident was the murder of Arthur Maillfert, a young white man, who was killed in prison at Jacksonville, Florida. Maillfert was punished for attempted escape by being strung up in a small wooden structure, like a coffin stood on end, beneath the burning tropical sun until he died of exhaustion. The guard who thus punished him has just been sentenced to twenty years in the penitentiary, the maximum sentence possible under the law, but no informed person supposes that the system of similar punishments for refractory prisoners has been ended, or is likely to be ended, until a public opinion has been created throughout the South which is hostile to it. For complicated reasons, growing primarily out of the conflict between the whites and negroes, that public opinion at present hardly exists.

The worst aspect of the convict system in the South is perhaps the renting out of prisoners to private contractors, who use them to work on roads or as labourers on cotton plantations, in sawmills, and so on. Many of these contractors are cruel and brutal men, who rule strictly by use of leg-irons, revolvers, and the whip. There are well-authenticated cases where they have beaten men to death for refusing to work or attempting to escape, and even in a few instances because of "malingering" when in fact the man was too ill to work.

It has often been pointed out that the condition of these convicts (of whom most, but not all, are negroes) is worse than was that of the black slaves before the Emancipation Proclamation of 1863, for the slave-owner had an investment of a thousand dollars or so in his human property, and it was to his interest to keep the slaves healthy and even to a certain extent contented, while the contractor who hires prison labourers can make more money by working his men to exhaustion, or even to the point of death, and then replacing them with others.

Equally important is the common practice among plantation owners of

obtaining labourers by paying the fines of negroes arrested for some trifling offence, and then letting these men "work out" the amount of money which has been paid on their behalf. Such employers often juggle their books so that no matter how long and hard the negro works he never gets out of debt, and while this is the case he is a prisoner on the plantation. It is often the case that he has been given a suspended sentence to prison by the Court, which is in a conspiracy with the planter, and if he were to flee would be picked up and put into gaol. But even if this is not so, his chance of getting away is slight, for the plantations are patrolled day and night by armed white men on horseback, and bloodhounds are used, just as they were seventy years ago, to find anyone who has run away.

When labour is scarce it is not at all unusual for the white sheriff to arrest a number of negroes who have been guilty of no crime whatever. Then, by prearrangement, they are given their choice of six months or a year in gaol on some trumped-up charge or going to work for some near-by cotton planter for \$30 a month—a sum which is never adequate to cover the negro's needs for clothing, tobacco, medical supplies, &c., purchased at high prices in the plantation store owned by the planter.

These conditions, often exposed in the past, have just been described again in a striking book, "Georgia Nigger," by John L. Spivak, an experienced and reputable journalist and a former member of the staff of the "New York World." Mr. Spivak, whose statements are corroborated by numerous other witnesses and are accompanied by documentary and photographic proof, describes the hardships which even under the best circumstances are endured by the convicts. These men travel to and fro in a huge cage on wheels like that in which wild animals are exhibited in a zoo. They work in a group, chained together so that all must move in unison, and an untoward gesture by one individual may cause agony to his neighbours. They are given the coarsest food, filthily prepared and served. Their sanitary arrangements are primitive in the extreme, they are rarely permitted to bathe—a real hardship in a semi-tropical area,—nor are they given clean clothing except at infrequent intervals.

When one of the guards (usually a half-illiterate, badly underpaid repre-

sentative of the "poor white trash" of the South) decides that one of his charges needs punishment, this is meted out in a sadistic fashion. Men are beaten or whipped; they are trussed up like fowls and flung down to lie for hours in the burning sun; they are hung up by the wrists; and so on. The "sweat-box" which caused the death of Arthur Maillfert is in common use throughout the South, though usually the victim is taken out before death has put an end to his suffering. The methods of punishment are used on the plantations where negro labourers are working out their debts are not dissimilar. The chief difference is that when a man is a convict and is killed it is reported that he was "trying to escape," while a man killed on a plantation simply disappears or else his body is found and the (white) coroner's jury brings in a verdict of death from cause unknown.

One of the shocking aspects of this matter is that some of the States which lease out convicts to contractors make a handsome profit on the transaction, a fact which makes it more difficult to abolish the practice. The Federal Government is also responsible, since it could put an end to much of this exploitation by prohibiting the use in inter-State commerce of agricultural products which are the result of convict labour. (There is now a similar restriction against factory products manufactured in the prisons of the North.)

Whenever an American periodical publishes an article revealing the conditions among Southern convicts there is a flood of violent protest from Southerners, ranging from demands to "let us alone" to assertions that the conditions described are now a thing of the past. It is true that the State of Florida some years ago passed a law prohibiting the leasing of convicts. This law was the result of another case like that of Maillfert, in which a Northern boy was beaten to death while working as a convict for a private contractor. Such a law, however, does little to relieve the suffering of the prisoners, who are simply transferred from private operations to State enterprises such as building and repairing roads, working in the buildings and grounds of State hospitals and asylums, and the like. That the Florida law did not produce a genuine reformation is indicated by the murder of Maillfert in that State only a few months ago. Meanwhile other Southern States continue to lease out prisoners and to leave them to the far from tender mercies of men who profit by working them as hard as possible.

The Murderous South.

From the Raleigh News and Observer.

More pleasing to Chicago than to the southern states is the annual compilation of murders and the murder rate in American cities which every year is compiled by the municipal librarian of Chicago as balm to Chicago's inferiority complex.

The compilation shows that the nine American cities with the highest murder rates are in the south. Only six of the 25 cities with the highest tendency to murder in America are located outside of the south.

Southern apologists in the past have made excuse for this situation that it is caused by the large negro population in the south. Any one familiar with crime records in the south realizes that a large percentage of killings do come from the black ghettos of the southern cities.

If, however, southern killing is black, southern ruling is distinctly white. The south has prided itself upon its Anglo-Saxon civilization. Not very long ago a distinguished federal judge from the bench in North Carolina expressed a not very judicial contempt for the foreign elements in large northern cities. While he spoke at his door his own country, which boasts its high percentage of native blood, was building the statistics of murder leadership.

Negro populations may be a cause of much murder in the south, just as certain of the foreign born may be a cause of crime in the north. But neither is an excuse. The blame for leadership in crime rests not upon a poor and ignorant black race in the south, nor upon the poor and ignorant foreign born in the cities, but upon the governments north and south which through weakness permit and indeed encourage the growth of violent crimes.

NEW YORK TIMES

DEC 20 1932

NINE CRIME CAUSES
LISTED BY LOESCH

Head of Chicago Commission
Says Immigration, Slums, Dry
Law and Politics Contribute.

AUTOMOBILE ALSO BLAMED

Dishonesty in Finance, Incompetent
Prosecutors, Negro Criminals and
Decline in Religion Are Cited.

Special to THE NEW YORK TIMES.
CHICAGO, Dec. 19.—Frank J.

spread and constructing under some form of organization better housings at low rents."

Prohibition was held by Mr. Loesch to be responsible for from one-third to one-fourth of the crime wave at present height. "Debates in Congress and private life indicate some change soon," he said. "The difficulty will be found in the old-time sa-

Of the slum problem, Mr. Loesch said, "if civilization is not to perish then means must be begun and per- severed to extinguish them. It can be done by preventing their further

Loesch, president of the Chicago Crime Commission, and a member of the Hoover Commission on Law Enforcement, dissected the crime problem of the nation tonight before the convention of the National Institute of Mercenary Crime. He found nine basic causes for the wave which is causing fear to enter the hearts and lives of all citizens, and offered a remedy for each. The usual police and law-enforcement control of crime, drawn from experience, Mr. Loesch said, has failed to check the atrociousness and the number of felonies committed country-wide in the last decade. The causes of this condition, Mr.

DEC 28 1932

SOUTHERNER DEFENDS HIS NATIVE
LAND.

To the Editor of The Tribune:

I read the articles in The Tribune, "Ancient Happened in the U. S. A.," (extracts from the "Georgia Nigger") and was glad of the exposure of the atrocious crimes committed in the name of the law, not alone for the Negro's sake, but also the white man who is so unfortunate as to become embroiled with the law as it is enacted in some of the southern states, for to him is meted out the same punishment for the same crime as to the Negro.

I am a native of the south (Texas) and my work has taken me to all the southern states over a period of 30 years. And that party from Ogden, whose article appeared in the Dec. 10 edition, has evidently been sadly misinformed or is unenlightened about the south and the southern Negro, also the southern white people.

For those who have entre to the better class of white society of the south (for, as in the north, there are classes) will find that the better class of white people resent as quickly, if not quicker, any abuse of the good Negro as anyone any place in the world. And while the good Negro is industrious and trustworthy, he will not talk about his "white folks" as he calls them, but will resent any insult, imagined or implied, to his white friends to whom he turns if he gets into trouble.

While the other kind is lazy and often a liar and thief neither is disfranchised in but very few states, and then only in the primaries. The white and black alike have to have a receipt showing he has paid his poll tax (school tax) before he is allowed to vote. The Negro is taught from the same textbooks, which the states furnish, and they have the same superintendent of schools, but do not have mixed schools.

One cannot know the south by just passing through it or residing there a short time.

I would also like to point out that the south is not the only place where cruelty is meted out in penal institutions (Reference—Wickersham committee report). And while I also know there are places of indulgence in law breaking, but life in the south where the white as well as the Negro workers are compelled to trade at company stores and are overcharged, there are in remote sections, i. e. large lumber camps. But Iowa business men have been known to overcharge and underweigh, too.

—E. H. Waller. Creston.

Crime Against Negroes
Punished

MANY of us can remember when law enforcement in the south was lax regarding crimes committed by white men against Negroes that the whole system was the purest mockery. Very often the least pretense of self-defense on the part of the white killer or insult or resistance of arrest on the part of the Negro killed was all that was necessary to satisfy the demands of justice in such cases. A marked and commendable change is now taking place for which the whole Negro race should be gratified, and in which the white race itself should take pride.

A few weeks ago a white man was being tried in Hattiesburg, Miss., for murdering a Negro. Many leading Negroes, accustomed to the intense race feeling at such trials, when in other days cases were given that much attention, refused to attend the trial until it was generally understood that the attorneys on both sides in the case had agreed to try it on its merits, and that the customary race prejudices would not be appealed to in the pleas to the jury in deciding the case. The attorneys kept their agreement, in spite of the fact that the defendant submitted the old subterfuge in unsupported evidence of having killed the Negro in defense of an insult to his wife—in the olden days all that was needed for acquittal—but this unsupported evidence

was ignored by the white jury, and the defendant was convicted of murder in the first degree and sentenced to life imprisonment. A similar trial and conviction of a white man for killing a Negro was reported from South Carolina the other day. In fact, the south seems to be discovering the fact that the best method of protecting itself against lawlessness on the part of the white people of the South is to see that all offenders, without regard to race, shall be brought to even-handed justice.

This movement on the part of those who enforce the law in the South is specially pleasing to Negroes, not because we seek indulgence in law breaking, but life in the South, where the great majority of us live and should live for many generations, thereby is made more secure. It is also pleasing to us to know that the South is beginning to realize the fact that prosperous, thrifty, and self-respecting, self-supporting Negroes are the best assets in its own success and prosperity, and that we fit better into the general scheme of things there than any group of people doing the same kind of work we do that can be imported into its midst. Contrary to the prevailing opinion of a generation ago, the plantation semi-slave Negro, instead of being an asset, is a ward and a liability. For

no community can be enriched by a group of physical, mental, and spiritual paupers.

Evidently a better day for the Negro in the South, where the masses of us live, is coming, in which, like other law-abiding citizens, we shall have protection in life and property, and encouragement in doing our best in bettering our condition without intimidation and with a consciousness that we will be dealt with justly. Not even Negroes can afford to invest the labor of their whole lives in a community where there is no security for accumulated property, and no encouragement in the pursuit of happiness and prosperity.

Report of Victory Campaign

WEEK ENDING DECEMBER 24

CLASS "A"		No. of
Conference		Subscribers
East Tennessee	127	
Atlanta	75	
Savannah	74	
Charges in White Conferences	22	
Florida	4	
South Florida	1	
	303	
CLASS "B"		
Upper Mississippi	204	
North Carolina	95	
Central Alabama	75	
Tennessee	67	
	441	
CLASS "C"		
Texas	128	
Mississippi	121	
Southwest	119	
Louisiana	110	
West Texas	100	
Lexington	75	
Central West	25	
	678	
CLASS "D"		
South Carolina	138	
Delaware	77	
Washington	77	
	292	
Total	1,717	

GREENVILLE, O.
ADVOCATE

JUL 9 1932

HOMICIDE RATES

In 1900 the country's homicide rate was 5.01 for each 100,000 population; last year the rate had increased to 10.8. The rate in fourteen Canadian cities was 1.6 and in only seven of fifty-three foreign cities was it more than 10. Seventeen American states have homicide rates of 10 or higher and eleven of them are in the southern group. The Atlanta School of Social Work found that 128 murders were reported to the Atlanta police in 1931 with 106 of the victims Negroes. Three of every five slayings were committed by Negroes. In fifty-five cases where causes were given, the police made a laconic entry of "arguments and fight." Intoxication was given as the cause in only one case. In 1930 the white homicide rate in Memphis was 20.4; Negroes, 120.5. Nashville had a white homicide rate of 15.3; Negroes, 95.7. Dr. R. N. Whitfield, director of the Mississippi state bureau of vital statistics, reported that on every day last year a Negro was killed in that state; white killings averaged one each five days. The Jackson Miss. Clarion-Ledger asserts that "the killing of Negroes by Negroes can not be reduced until the white people, all of them, including police, officials, judges and jurors, regard such killings as murder, exactly as much murder as the killing of a white by a white or by a Negro." As long as officials look on the black race as "just another Negro killing," it says, the rate will not be lowered. The police of the larger cities in the north are apparently convinced that underworld characters will prey on each other and when another gangster's body is found the search for the killer is somewhat perfunctory.

THE SOUTH'S HIGH MURDER RATE

It has been common knowledge for a long time that the homicide rate in the United States was about the highest among civilized nations. But a recent map of the United States showing the areas where the homicides take place emphasizes the excessively high rate in the South. Of seven

teen states reporting more than ten homicides per 10,000 population, all were below the Mason and Dixon Line except two. The Southern press has been offering explanations, some saving dueling

left Southerners quick to draw. Some say it is the Negro with his proneness to kill. Others say it is that because of lack of wealth and other reasons the schools of the South aren't as well equipped or staffed as in the North.

Negroes can give a better reason. The whole South holds the lives of Negroes cheaper than the lives of horses and mules. If a white man kills a mule or horse in cold blood, he at least is made to pay. If a white man kills a Negro, Southerners refuse to punish him on some damnable theory that it might make Negroes think they are white men's equals, if a white man should be punished for murdering a Negro. If a Negro kills another Negro, they handle the case almost playfully and either acquit or give the murderer one or two years.

Negroes in Houston remember that Powell shot a policeman and was taken from the hospital while guarded by policemen and lynched. No one was punished. Even the policemen on guard were not fired. Sherman a mob burned the jail and courthouse to mob a Negro. Several persons were indicted. But last week, the last case was dismissed without any one having been convicted.

As long as murderers can escape punishment for killing Negroes in the South, they will go on killing more whites and Negroes. A license to kill Negroes is not long in being stretched to cover the killing of whites. To halt this mounting homicide rate, our officers and courts must punish murderers, white or black, swiftly and severely.

There is one grim bit of justice in the whole thing as we face it today. The killing of whites has mounted greatly along with the rising rate for Negroes. Again, we see that by putting a cheap value on the life of the Negro, the white man also cheapens his life. Sooner or later, the Southerner will learn that the courts must mete out one brand of justice for all. It is not enough to hang a Negro for striking a white man. Exaggeration hurts justice no less than careless leniency. The murder rate will become lower when our officers and courts realize that a Negro's life is also sac-

Sixty-three Negroes

Executed in 1931

WASHINGTON, (CNS)—Sixty-three Negroes received the death penalty for major crimes in 1931, according to Dr. E. R. Amick, statistician of the State Department of Public Welfare of Illinois, who has carried on extensive correspondence with officials of every State of the Union compiling these figures. The report shows that there were 152 executions in the country in 1931, 89 of them white and 63 colored.

Georgia heads the list with 17 executions in that year. Pennsylvania is second with 16; New York third with 12, and Illinois, Ohio, and Nevada lethal gas is the method.

NEGROES NOT IN
MAJOR CRIMES

By R. A. ADAMS

(The Literary Service Bureau)

Major crimes in this country are making and selling strong drink against the law; kidnapping for ransom; bomb explosion and ruthless taking of human life; murder plots like Howard in West Virginia; fraud, and heartless preying on the innocent, like Brinkley's goat-gland infake; mob violence and lynching; sabotage and arson; statutory crimes against minors and even little children; and banditry and burglary with the usual sacrifice of human life.

In all these lines of lawlessness the Negro's part is small and the white man's enormously large. With the exceptions of petty bootlegging and minor holdups, the Negro hardly figures in these major crimes; and that fact is to his credit. The Negro is bad enough; he commits too many crimes at best; his percentage of crime is far in excess of his percentage of population; nothing wrong on his part is to be condoned, yet the facts given are encouraging. Let the Negroes strive for even a better record.

There are these among us who foolishly say, "If white folk can do so, we can too," but this is vicious advice. Others reason erroneously that because of our disadvantage we have the right to be dishonest where it would be wrong for others; but this ground is untenable.

It is to be hoped that Negroes of all classes will even strive to reduce crime rather than encourage by condoning and excusing.

PRISON RIOTING

The serious aspect of prison riots is claiming attention in earnest fashion. The occurrence of riots is common and may be attributed to the state of unrest caused by the stringent times. The prison population of America is increasing and a search for the remedy constitutes a major problem for study.

The duly duty of suppression, viciousness and reforming, character purported to inure from prison management has come under the scrutiny of social reformers and, in many cases now coming to light, it would seem that some of the brutal methods indicate a distinct tendency toward force and cruelty. The sad feature seems to be that a small standing army is necessary at some penal institution to make their functioning sure. The social value of prisons cannot be doubted but there is a doubtful aspect of some prevailing methods and this gives rise to a sentiment that is not altogether healthful in the public attitude toward their functioning power.

It was never intended that prisoners be a source of revenue to the state and the fact that such a mistaken idea obtains may account for much of the trouble that arises out of the efforts of prison officials to make them productive beyond the cost of upkeep. There is no healthful sign of progress in the increase of prison population and still less in conditions that warrant the keeping of a small standing army to make them serve their intended purposes.

The prison population is as much mixed good, bad and indifferent individuals as the free population and the matter of considering and protecting the deserving there is as important as it might be elsewhere.

There are lots of good people in prison that ought to be out and lots of bad people out that ought to be in, for that matter. They make up the unfortunate part of the prison population as well as the fortunate part of the outside population. The serious aspects of this situation call for deep and careful consideration on the part of those making and executing the laws.

SEP 30 1932

Probe of 'Slavery' Looms, Spurred on by New Book

By DOROTHY DUCAS

I. N. S. Staff Correspondent

NEW YORK, Sept. 30.—A Congressional investigation of conditions in Southern convict camps and a system of virtual peonage among Negroes on the cotton plantations may result from publication today of "Georgia Nigger" by John L. Spivak.

Revelations of slavery as cruel and much cheaper than that of the black man before the Civil War are made by Spivak, with documents, photographs and evidence from the files of the State Prison



Dorothy Ducas

Commission to authenticize everything.

TALES OF HORROR

Tales of unbelievable horror, surpassing even the real story of Arthur Maillfert for whose death in "the sweat box" two men go on trial next Monday, are penned by Spivak. The veteran newspaper reporter says officials already are preparing to "do something about it," adding:

"I have laid the scene of my book in Georgia, but what I tell of that state is true of the Carolinas, Alabama, Florida — the whole far flung black belt.

"All Lincoln did was lower the price of slaves. Peonage exists, with all its evils, for hundreds of thousands of Negroes today.

"It works this way: A planter needs some laborers to pick cotton. He has a harge trumped up against a couple of Negroes; then offers them cash as a loan to pay their fines. He agrees to let them work out the debt, using the advance against their wages.

"By selling the cotton picker all his clothes and food, by charging him rent and interest on the loan, which has been as high as 72 per cent., the Negro never gets out of debt. There is a law in the South that if a man

leaves a plantation while in debt to his employer he may be arrested as a swindler and sent to the chain gang."

There, life is almost exactly as it was in the day of the Spanish Inquisition, according to Spivak. The prisoners are herded into a steel cage, where they live like cattle. Some of them are chained like galley slaves. Indeed, there is another hark-back to the Roman days, for the roads of Georgia, Spivak says, are as wonderful as any the Romans ever built with similar compulsory labor.

CRUEL PUNISHMENTS

And the punishments for the slightest infraction of the rules are: Being stuffed into a barrel, carrying twenty-pound weights riveted to the legs, being tied to a stake, and arms nearly pulled from sockets by means of chains at the wrist.

In black and white, Spivak puts it:

"Bud L. Coy, August 19, 1930, chains for talking back to guard; August 20, in stock forty minutes for refusing to work. Joe Gay, August 4, stripes and placed under the gun for cutting up at side camp.

"Unbelievable? But the southern whites themselves don't realize what they are doing," explained Spivak. "You don't feel ashamed whenever you step on a bug, do you? That's their attitude.

"The South itself does not realize why more than 1,000,000 Negroes have migrated North since the World War. They saw during that conflict that they were better than animals; they have been trying ever since to get away. But they have no recourse to law. They have no vote, as the poor white has, and they aren't even worth taking care of to their employers, who were reasonably considerate when slaves represented investments of \$1,000 or more.

"The State of Georgia hasn't dared an investigation, nor any other state, for they feared finding something worse than the atrocities of the Belgian Congo. But the truth is out. The world will see that poor Arthur Maillfert was only one of countless thousands who suffered from a system which is a disgrace to the American people."

YOUTH LEADING IN CRIME.

Revelation by the federal bureau of investigation that youths of 15 constitute the largest single age class in our criminal population emphasizes the alarming degree to which the wholesome instruction and atmosphere of the home is disappearing. 11-22-32

In years gone by, most boys and girls of 19 and 20 found their amusement in the home or in innocent community entertainments. Now, all too often, this amusement is found on automobile rides with bootleg whisky furnishing synthetic enthusiasms and adding to unworthy temptations.

No more serious threat exists to the welfare of the country than the increase in crime during the past decade among the young. The hardened criminal of the past was, generally speaking, a man of mature years, generally led into law-breaking because of failure to make a living along legal lines.

Now thousands of youths are annually taking up lives of crime before even making an attempt to enter business. Thus the span of activity of the average criminal is doubled and trebled. Even when detected and given long-term sentences, the youthful criminal of today emerges from jail at a younger age than the beginner in crime forsook the straight and narrow way a few years ago.

Many factors have contributed to the lure of crime to the young, chief among which has been the quick profits and comparatively small danger involved in bootlegging. Every year for the past decade hundreds of thousands of youths, both in and out of high schools and colleges, have been recruited into the ranks of the huge army of sellers of illicit whisky.

From such activities it has been only a step to other and more serious crimes, with the result that we are annually recruiting and training a huge army of criminals, most of whom have not reached their majority.

It is a situation that must be met by the combined efforts of the legislative, judicial and law enforcement branches of government.

Laws not supported by public approval and which, therefore, offer a comparatively safe entrance into crime, must be repealed. The courts should speed up efforts so that their present delays will no longer be an actual invitation to crime.

In the church and in the home there must be a renewal of old-time conditions under which a protecting influence was put over the young.

No more serious moral question faces the country than the prevention of youthful minds and characters from being warped by the hurtling pace of modern times. It will be a herculean task but its stake is the greatest prize in the world—the making of good citizens for the future out of the embryonic men and women of today.

SOME CAUSES OF CRIME AMONG NEGROES

Am. American
Pushy American
 among both Negroes and whites usually occur at the lowest economic levels."
Charlotte, N.C.

James D. Burton, Presbyterian minister through co-operation between white and Negro leaders, feeble-minded and mentally deranged. As a result, many dangerous Negroes have been placed in such institutions. It is held that the confinement of two hopelessly defective mental types would have prevented the occurrence of at least two crimes which resulted in Negroes being lynched in 1930. Proper care of hopelessly defective Negroes is an essential part of any practical program for lessening crime. Tennessee does not as yet have an institution for the colored feeble-minded. Provisions should be made for them.

Studies of juvenile delinquency show that the opening of supervised parks and playgrounds leads to an immediate reduction of delinquency. We feel that there should be a probation officer in every county. The State Interracial Commission is not striving for special privileges for the Negro, but is working simply for even-handed justice and a fair chance in the struggle for existence. The color of the skin should not militate against any one in the administration of the law. Every man should be accorded legal protection of his life and property and educational opportunities for his children. This is a progress of human relations in which both races are the beneficiaries."

does not condone crime or shield criminals. The church, the lodge, the school and the press can make large contributions toward the reduction of crime.

"The Southern States generally have made inadequate institutional provision for Negro dependents, juvenile delinquents, feeble-minded and mentally deranged. As a result, many dangerous Negroes have been placed in such institutions. It is held that the confinement of two hopelessly defective mental types would have prevented the occurrence of at least two crimes which resulted in Negroes being lynched in 1930. Proper care of hopelessly defective Negroes is an essential part of any practical program for lessening crime. Tennessee does not as yet have an institution for the colored feeble-minded. Provisions should be made for them."

Some reasons for the crime rate among Negroes occur in the summer more than at any other time in the year and a relation is discerned between the weather and crimes against the person, and a consequent relation between the weather and resort to lynch-law. With the coming of warm weather, the majority of farm folks work out of doors. After cultivation is done and before harvesting invariably heavy when a Negro begins, there is little to occur. By the time of white and colored workers. While no popular feel strongly that the inadequate police protection provided for the lessening of crime. Negroes are allowed to commit crimes on one another without interference, to commit crimes against political, social and economic conditions. However, Negro leaders are not without responsibility toward the lessening of crime and the eradication of lynching. The fine records of Negro graduates of training schools, colleges and universities make it plain that the educated Negro is no menace. Recent mob victims had but little formal education. Not one of them had high school training, and only one had gone beyond the fifth grade; three were illiterate, and eight nearly so. Many of their own lives and that of the lawless element with a person who reads but little, is identified with but few or none over it. This will assure organizations, and is outside white people that the Negro

STAMFORD, CONN. ADVOCATE

MAR 4 1932 KIDNAPPING FOR RANSOM

The kidnapping of Charles Augustus Lindbergh, jr. has stirred the country to quite the same extent as did his father's memorable solo flight across the broad Atlantic. In this case the feeling is of deepest sympathy for the parents, of fury at the kidnappers, of consternation at conditions which make such a dastardly deed possible. There is dread and bewilderment. If the child's life is not taken by the criminals, he may yet die from exposure and neglect. We seem to be helpless against a hand that strikes out of the dark. It is a time of anxiety and suspense, not only in this country, but in every corner of the world, for probably the name of Lindbergh is known everywhere as the name of no other living person is known.

Fear stalks abroad because we ask, What child is safe? The automobiles have increased manyfold the chances for success of wrongdoers.

The kidnapping of the Lindbergh child comes as a climax to what anti-crime crusaders say has been a wave of kidnapping in which two thousand or more persons have been abducted for ransom in the United States in two years. An investigator out of Illinois says that there probably have been four hundred kidnappings in that State during 1930-31, and forty-nine victims are officially reported to have paid ransoms.

It happens that an eleven-year-old boy was kidnapped in Ohio only this last Wednesday. Last year a case that attracted national attention occurred in St. Louis where a thirteen-year-old boy, the grandson of August A. Busch, was returned safely after being held twenty hours. The family in that case denied paying any ransom and a Negro is now serving a ten years' sentence for the kidnapping.

Another celebrated case was that of little Jackie Thompson of Detroit which occurred in 1929. He was returned after the payment of a seventeen thousand dollars' ransom. Three men were convicted of the crime and five thousand dollars was recovered later. In 1928 Melvin Horst, four years old, of Orville, Ohio, was taken and never found. Two men went to prison convicted of the crime, but they later won new trials and acquittals.

The most celebrated case in our country was that of Charles Ross, who was kidnapped in Germantown, Pennsylvania, nearly fifty years ago. He was never found, although large sums were offered for his return. Some time later two men were shot during an attempted burglary on Long Island, and there was some evidence that they may have been the kidnappers. However, no trace of the child was ever discovered.

In every home in the land where parents are tucking a little one into bed for the night, a new prayer is for the safety of their own child and for the safe return of the Lindbergh child is being offered up during these anxious days.

LITTLE ROCK, ARK.

GAZETTE

APR 1 0 1932

HOMICIDE RATES FOR LITTLE ROCK AND THE SOUTH.

In the homicide death rates compiled annually by Dr. Frederick Hoffman, insurance statistician, first place is occupied this year by Birmingham instead of Memphis, which for many years past has led the list. But Memphis comes second, and, regrettably enough, Little Rock stands in seventh place among the 10 cities, all Southern, reported by Dr. Hoffman as having the highest homicide death rates per 100,000 of population in 1931. The Little Rock rate is given as 40.4, compared with 54.9 for Birmingham and 34.7 for Mobile, the last of the group.

As Chief of Police J. L. Bennett of Little Rock points out, the police records of homicides committed last year would give a much lower rate than the Hoffman figures. But the police figures deal with homicides within the city, while Dr. Hoffman considers the number of deaths from homicides, including such deaths among non-residents brought here for medical treatment. This difference presumably explains the discrepancy.

Although figures revealing the fact have been published before, it may come as a shock to many of our people to find that the Hoffman homicide rate for Little Rock is nearly three times as high as the Chicago rate. But it may be said without injustice that cold blooded assassinations by Chicago gangsters are something far different, as a menace to society and American institutions, from killings like those which occur in sudden heat of passion.

Of the 20 persons killed in Little Rock last year, 13 were Negroes. An analysis of Dr. Hoffman's figures on the basis of race shows that in most of the 10 Southern cities heading his 1931 list the homicide rate was from two to four times as high among their Negro as among their white populations. It seems indisputable that the greater proportion of Negroes in the populations of Southern cities is largely accountable for the fact that their homicide rates so greatly exceed those of cities in other sections.

The white people of the South cannot look on that situation with indifference. It is the responsibility of

Southern citizenship as a whole to do everything that can in reason be done to remove the causes that contribute to this condition.

2 Sentences

Commuted

National Association Saves

Lives of

PRUITT AND HERRING

Death Sentence Is Changed To Life Time

New York, April 15—Lives of two Negroes, Ervin Pruitt in Mississippi and Ernest Herring in North Carolina, have been saved by the National Association for the Advancement of Colored People which has procured commutation of their sentences preparatory to continuing the fight for their release from imprisonment.

In Mississippi Ervin Pruitt was to have died in the electric chair today. He had been charged with having forced a white woman, of whose child he was charged being the father, to poison the infant at the point of a gun. The woman admitted administering the poison herself and her husband testified against her in Pruitt's behalf, saying that he and Pruitt were in another town together on the day the baby was poisoned.

The N. A. A. C. P. having carried the case to the Mississippi Supreme Court, where the conviction was affirmed with 2 justices dissenting, cooperated with the Commission on Interracial Cooperation in getting prominent people to intervene with the Gov. S. D. Redmon of Jackson, Miss., acted as attorney. The intervention followed a visit to Herring in jail by Robert W. Bagnall, N. A. A. C. P. director of branches.

In North Carolina, Ernest Herring, sentenced to death on a murder charge, after being chained to a tree and threatened with lynching to make him confess, had his sentence commuted to life imprisonment by Gov. O. Max Gardner. The governor became so interested in the case that he personally visited Herring in jail and granted a 30-day stay of execution to permit his lawyers to act further.

The N. A. A. C. P. contributed \$100 to two young white lawyers, Algernon Butler and Henry Grady Jr., of Clinton, N. C., who had carried his case to the state Supreme

Court. Herring now has the choice of accepting life sentence and working for a pardon, or continuing his appeal to the State Supreme Court for a new trial with the chance that he might be tried again and given a death sentence. The N. A. A. C. P. is offering its aid in whatever course Herring decides to take.

JOURNAL KANSAS CITY, MO.

APR 17 1932

A Murderous Nation.

The picture of American lawlessness has often been painted, but take a look at it again, as drawn by Dr. Frederick Hoffman, consulting statistician, in the Spectator, an insurance publication:

For every 100,000 persons in this country in 1931, there were 10.9 homicides, more than double the rate in 1900. In thirty-one cities having a total population of 25,000,000, the rate rose from 5.1 in 1900 to 8.5 in 1920 and to 10.8 in 1931.

Southern Negroes contribute a disproportionate share of homicides, giving Birmingham, Ala., Memphis, Tenn., Atlanta, Ga., Jacksonville, Fla., Montgomery, Ala., Little Rock, Ark., Lexington, Ky., Nashville, Tenn., and Mobile Ala., the deplorable distinction of heading the list in the order named. Birmingham's homicide rate last year was 54.9 per 100,000.

But the northern cities have records that disgrace a nation that calls itself civilized in the South. There is something in Chicago's rate was 14.1 and New York's that, but the rate among the whites is also very high, else our governor's "clemency" would not have so much overtime work to do.

Chicago, whose gang killings are so widely advertised, has a right to be proud, for though it is second in population among American cities, it is fortieth in the number of homicides in proportion to population. But it is different when the comparison is with cities of other leading nations. In fourteen leading Canadian cities, the homicide rate was 1.6 in 1931. In London, it was only .8.

In other words, for every 8 deaths from homicide per 1,000,000 of population in London, there were 144 deaths in Chicago and 83 in New York.

What's to be done about it? That is another matter. We are not offering solutions. We are merely calling attention to Dr. Hoffman's picture. Look at it. And reflect upon the fact that you live in one of the most murderous nations of the world, the most murderous if only the leading nations are taken into account.

COLUMBIA, S. C.

STATE

APR 21 1932

The Man and Woman—Killers.

The New York Times refers as follows to the latest report showing where this and other countries stand in the "homicide rate":

Our urban homicide-rate is three times the average for fifty-three of the world's chief cities, including many crowded countries where life is traditionally cheap. Our murder-rate is nearly seven times the Canadian, and thirteen times that for London. The difference between Canada and England furnishes a hint as to one reason for our own evil eminence. Life in new countries is less secure than in old settled regions. But it obviously does not explain why the United States should be half a dozen times as bad as Canada. The figures are to a considerable extent weighted against the United States by the enormously high homicide-rates in the cities of the South and the Southwest. Boston or Springfield, Mass., have ratios not far behind Canada's. New York's is more than twice Boston's, and Chicago's twice New York's. Why are people slain in Springfield, Ill., thirteen times as frequently as in Springfield, Mass.?

America, of course, "beats the world." And Southern cities stand at the tip-top. New York and Chicago may have London whipped to a frazzle on killings per 100,000, but Memphis, Atlanta and New Orleans make the largest American towns look like pikers. The supposition is that the large Negro population in the Southern towns is responsible for the "enormously high" homicide-rates in the South. There is something in that, but the rate among the whites

is also very high, else our governor's "clemency" would not have so much overtime work to do. Negro leaders in Southern cities might better conditions. Why should their rate of killings keep up while Negroes have lost their lead in other crimes? A year or two ago the whites, for the first time in history, gained the right to claim "majority rule" in the South Carolina penitentiary.

Our judges are noting, if not with pride at least with frankness, that the procession of whites charged with the meaner crimes like theft is steadily augmenting. And if one-half of those who swear falsely in order to "beat" money out of some person or corporation were to be summoned to the courtroom, the congestion would be oppressive.

While we are waiting on the country to "age" and acquire that improvement in morals to which age contributes, men and women of today might devise means and methods for giving to the present greater safety to life and property.

MILFORD, MASS.

NEWS MAY 11 1932 HOMICIDE IN SOUTH

The interesting question of the relationship of the Negro element in the population to the high rate of homicides in the South compared with the rate in the North has frequently been raised without meeting a satisfactory answer. Some light on the question is shed by a survey recently completed by Dr. R. N. Whitfield, state registrar of vital statistics for Mississippi. Both in the six New England states, with the lowest homicide rate of any statistical region in the country—1.4 per 100,000—and in the group of three Pacific states, with a rate of 5.2, the Negro population, Dr. Whitfield notes, constitutes almost exactly 1 per cent of the whole. The homicide rate in North Carolina and in Illinois is 10.9 and 10.5 respectively, while the Negro percentage of the population of the two states is respectively 29 and 4.3. In South Carolina the Negro population percentage is 46 and the homicide rate is 13.9, compared with a Negro population percentage of 8.6 and a homicide rate of 18.6 in Kentucky, and a Negro population percentage of 18 and a homicide rate of 18 in Tennessee.

Mississippi, with a Negro population constituting 50 per cent of the whole and with a homicide rate of 25.7, the highest in the country, appears to be the only state in which the population make-up and the homicide rate are in striking conformity. Apparently one must look deeper into regional social conditions for an explanation of the disparity among them with respect to the safeguarding of human life. Dr. K. E. Barnhart of the Birmingham-Southern college, noting that the homicide rate is much greater in the South than in either New England, the Middle West or the West, observes significantly that the carrying of firearms "seems to be more general" in the South than in other parts of the country. It seems a reasonable inference also that the murderous use of these weapons arouses a milder reaction in public sentiment than it does elsewhere.

Perhaps the ancient "code of honor," with its socially approved dueling, which persisted longest in the South, still has its effect upon tradition and custom.

Crime-1932

WHERE THEY MURDER MOST

Chicago, Ill.
Prof. Barnhard, Birmingham, Ala., sociologist, compiles a table of crime statistics, setting forth the most "murderous cities" in the United States. Memphis, Atlanta, Birmingham, Nashville, Savannah, Shreveport, Augusta, Mobile, Macon and a lot of other southern cities head the list. Chicago, New York, Philadelphia and the great northern melting pots where the activities of gangland have caught the headlines and the interest of the world, are far down in the list. These statistics are based upon relative population and the statistics reveal the propensities and proclivities to kill all over the country. Prof. Barnhard, who is a southern white man, of course, lays the blame on the colored man setting forth the fact that colored people abide in larger numbers in the south and that they commit more murder per capita than whites.

Northern criminologists have taken issue with Mr. Barnhard's conclusions and state that while there is a forty per cent murder rate perpetrated by colored people in Chicago and that the murder rate in Chicago was sixty to every one hundred thousand and that even though there was two hundred and thirty three thousand colored people in Chicago, still Chicago ranks far down in the list.

From these statistics it can be fairly concluded that the south has less respect for law and order, more of the primitive instinct to kill than any other section of the nation. It may be further concluded that the south is less civilized, less progressive and more illiterate than other parts of the nation. It may be added, also, that the south is more hypocritical because it sings more psalms and preaches more sermons than elsewhere in the country.

The colored people in the south abound and they reflect their environments. The colored man of the south reflects the south and his urge to leave discloses his mounting and rising intelligence. Strange that in the face of all this there are some of our own people who declare that the south is the best place for us.

SHREVEPORT

LOUISIANA

JAN 4 1932

SOUNDS FOOLISH.

It was quite a shock to all of us to learn, from sociological statistics recently published, that Chicago's reputation as a bad city is greatly exaggerated. Kenneth E. Barnart, head of the Department of Sociology at the Southern College, Birmingham, told the American Association for the Advancement of Science, meeting at New Orleans, that Chicago ranks fortieth among American crime cities.

With all of its weakness for "pineapples" and machine guns and its open encouragement of the lucrative profession of gangsterism, Chicago is declared to be a pigmy in wickedness and crime beside Memphis and Atlanta and Lexington, all southern cities. In Memphis they murder 52.8 persons

per 100,000 of population; in Atlanta the percentage is 52.6; in Lexington, Ky., famous as the home of fast horses and fair women, it is 52.4.

Along comes Chicago with a pitiful 14.4 per 100,000. New York trails way in the rear, too. Its percentage is only 7.1 and its position in the list of crime cities is seventy-eighth.

Some consolation might be afforded us if it could be shown that Memphis, Atlanta and Lexington were in an isolated southern group. But the naked facts make it impossible to cherish any such delusive idea. Dr. Barnart says that in a group comprising the 30 highest American "murder cities" are one city in the west, five cities in the middle west and 24 cities in the south.

Shreveport, we are sorry to discover, is very near the top in this list of crime cities, with a homicide percentage of 41.4. New Orleans, also in the list, has 23 per cent. Birmingham, Ala., the home of Dr. Barnart, kills 49.1 per 100,000, but all of the other cities listed in the southern group, except the three which lead the nation, are below Shreveport in crime percentage. Negroes are said to contribute largely to southern crime statistics, yet eastern cities in which there are many negroes show low crime levels.

In the absence of reliable evidence to the contrary, we are disposed to accept the statistics of Dr. Barnart as representing actual crime conditions, even if we do not understand the situation which they disclose. Just why Shreveport should rank as high in the crime scale, we are not able to discover. There does not seem to have been an unusually large number of homicides in this city.

But, after all, figures don't prove everything. In spite of Dr. Barnart's statistics, it is our belief that Chicago is a much more murderous city than Memphis. And as far as Shreveport is concerned, bombs and machine guns are rarer in its crime records than paydays at the north pole.

The idea that Shreveport is a worse crime center than Chicago is as improbable as the characters in Hans Anderson's fairy tales.

JOURNAL
KANSAS CITY, MO.

JAN 2 1932
Southern Homicide Rates.

Commenting, in a speech before the sociological section of the Association for the Advancement of Science at a meeting in New Orleans, on the fact that southern cities have high homicide rates because Negroes, feeling that they cannot obtain justice in the courts, frequently take the law into their own hands in personal disputes, Prof. Kenneth E. Barnhart, of Birmingham Southern college, said that Negroes must be educated to respect law and order thoroughly.

If this is the solution, it must be brought

about by the dominant race in the South. The whites must get over the habit of taking the law into their own hands and lynching Negroes accused, rightfully or wrongfully, of major crimes. And white judges must get over the habit of treating lightly litigation to which Negroes are a party.

Until this change is brought about, the uneducated southern Negro cannot be blamed for concluding that it is foolish for him to appeal to the courts, and until present conditions are changed, the inhabitants of southern cities cannot deplore the sins of Chicago, which ranks fortieth among American cities in the proportion of murders to population.

NASHVILLE, TENN.
EVE. TENNESSEAN

DEC 31 1931

Murder in the South.

New York and Chicago, with all their gang- and murders, are zones of safety as compared to the average large Southern city, according to figures gathered by the department of sociology of Birmingham Southern College.

The two great cities, at which the finger of scorn has been pointed from below the Mason and Dixon line, actually stand seventy-eighth and fortieth from the top among the 174 cities covered by the statistical survey.

And what of the South? The facts quoted below will give a suggestion of the huge task to be confronted if our house is to be put in order.

Memphis, as usual, is the murder capital of America, and of the world.

The first twelve cities on the black list are in Southern territory.

Nashville, showing some slight improvement, has dropped to seventh place, with a rate of 37.6 deaths by murder for every 100,000 inhabitants.

Furthermore, twenty-four of the twenty-seven worst offenders are Southern.

Here are the places in which death by violence is most prevalent: Memphis, 58.8; Atlanta, 52.6; Lexington, Ky., 52.4; Birmingham, 49.7; Shreveport, La., 41.4; Augusta, Ga., 38; Nashville, 37.6; Miami, Fla., 36.8; Savannah, Ga., 36.4; Jacksonville, Fla., 34.5; Macon, Ga., 31.6; Mobile, Ala., 30.7; Gary, Ind., 30.6; Hamtramck, Mich., 30.1; Tampa, Fla., 28.4; Springfield, Ill., 27.7; El Paso, Texas, 27.2; Charleston, S. C., 25.9; Houston, Texas, 25.2; Roanoke, Va., 24.4; Norfolk, Va., 23.8; Winston-Salem, N. C., 23.7; Dallas, Texas, 23.6; Little Rock, 23.2; New Orleans, 23; Kansas City, Mo., 22.7; Pueblo, Colo., 21.9; Knoxville, Tenn., 21.6; Petersburg, Va., 21.1; East St. Louis, Ill., 21.1.

Explanation of the South's proneness to murder lies partly in the presence of such a large negro population it is declared, but more

significant is the assertion that where illiteracy is prevalent, murder is most common.

Chicago and New York, for instance, have large negro populations, yet are so far ahead of the chief Southern cities in preventing murder that there is no comparison. In these two centers the fight against illiteracy has been successfully waged.

Whatever the cause, or combination of causes, the South should take stock of itself and make every effort to wipe out the blot which covers it.

Nashville holds no proud position, but the mere fact that it is dropping down the scale by degrees should be the cause for self-congratulation.

CONCORD, N. C.

TRIBUNE

JAN 21 1932

CARE OF PRISONERS BIG TASK FOR COMMISSION.

There are at present 4,281 prisoners in the State Highway Commission prison camps, of which 2,731 are negroes, 1,530 white and 20 Indians, according to Sam Scott, superintendent of prison camps. Almost all of these 4,281 prisoners are at work every day on the roads of the State, either doing regular maintenance work or doing heavy maintenance work, such as ditching, new grading, clearing or topsoiling.

Owing to the mild weather we have been having there has been very little sickness in the various prison camps with the result that virtually all of the more than 4,000 prisoners in the highway camps have been at work every day and are being kept at work. The good weather has also made it possible to do more than is usually possible during the winter months, although the recent heavy rains in many sections have greatly increased the amount of maintenance work necessary.

Within the next two weeks, six additional prison camps will be ready for use and thus reduce the congestion of prisoners in the present camps and make possible much better distribution. These new camps that are nearing completion are near Newton, Catawba county; Siler City, Chatham county; Fayetteville, Cumberland county; Warrenton, Warren county; Jackson, Northampton county, and Kenansville, Duplin county. All of these new camps are

for 75 or 100 men, so that they will make possible the transfer of more than 500 men to the camps. This will also make it possible to put larger crews of prisoners at work on the roads in the sections adjacent to these

camps.

In addition to these new camps, existing camps near Wilson, Rocky Mount, Greenville and a portable camp in Robeson are being improved for continued use. The camp at Wilson is being modernized and slightly enlarged, while a new building for guards is being built at the Rocky Mount camp. Both the Pitt and Robeson county camps are portable and will be retained.

Taking care of these prisoners and finding something for them to do has been one of the biggest tasks of the Highway Commission, but the task will be made easier when the new, modern camps have been completed. Work on the camp in this county has been delayed because of constant rains, but with anything like normal weather conditions for several weeks it will be completed in short time.

We imagine the welfare of these more than 4,000 prisoners gives the commission more concern than its primary job of road building.

NO MORE NEGRO CRIME DRAWINGS

Suburban, Ga.
New York, Jan. 22—A drawing illustrating a crime story in the New York Evening Journal, indicating by dark face that a Negro was the murderer in an unsolved crime, drew sharp protest from the National Association for the Advancement of Colored People.

The Evening Journal has replied giving assurance that "orders have been left with the various editors to guard against such mistakes in the future" and stating that "the Evening Journal has always fought against race prejudice and will continue to do so."

An Evidence of Love

Whenever a peculiar phenomenon is discovered in Dixie, many people jump to the conclusion that the explanation lies in the large colored population of the South.

Dr. Kenneth E. Barnhart, white, of Birmingham, Alabama, falls into this error in his publication of figures showing the murder rate in U.S. cities.

A survey of the list shows Memphis, Tennessee, rated first with 58.6 killings per 100,000 of population; Atlanta, 52.6 is second, Lexington, Kentucky, 52.4, third.

Of the thirty highest rate cities, one is in the West, none in the East, five are in the Middle West and twenty-four are in the South.

And says Dr. Barnhart, apologizing for the South's high murder rate, the "South has a large percentage of Negroes," and then the good doctor recalls that northern cities like New York, Philadelphia, Chicago, Detroit and Philadelphia have large colored populations, but a low murder rate.

His conclusion therefore is that illiteracy is the first high murder cause, and that race is sec-

ond.

Careful study, however, shows that Dr. Barnhart is as wrong with his two guesses as the old defenders of the South with one.

Race is not to be blamed for the South's high murder rate, but race prejudice is.

This prejudice operates two ways. All crimes committed by colored people among themselves, even rape or murder, are punished lightly. Murder is thus encouraged as long as killer and killed are colored.

On the contrary all crimes of colored against white are magnified a thousand fold, and a look or a word becomes attempted criminal assault, and a colored man is given the death sentence.

Whites may kill colored persons freely in the South and be quickly freed by a jury when they allege the dead man was impudent or smart. Even half intelligent colored persons, knowing what is sure to happen, kill the white aggressor first.

These two last named types of killing are unknown in the North, where the white man who kills is punished and the black man can get justice in the courts.

Coming from Alabama, maybe Dr. Barnhart doesn't like to admit that race hate makes the big cities of the South the most murderous in the world. Like most of his kind he would prefer to make believe that the two races get along on most excellent terms.

INDIANAPOLIS, IND.

TIMES

APR 1 5 1932

One Remedy for the Third Degree

Remedies for the notorious third degree frequently are suggested. Many urge more thorough legal regulation of police brutality, but most states already have rather drastic legislation on the subject. The Wickersham commission found that some of the worst cities with respect to the third degree were located in states in which the practice was outlawed very thoroughly.

Without relentless publicity, the police can sneak by almost any legal barriers. There is, perhaps, no other safeguard against the third degree quite as effective as newspaper investigation of arrests and beatings. Unfortunately this is not done systematically at present.

But what could be achieved is well revealed in the case of Walter L. Sanborn, editor of the North Penn Reporter of Lansdale, Pa. The success of Sanborn has been described in articles in The Nation and in Editor and Publisher.

In May, 1931, somebody tried to blow up the home of a Negro in Ft. Washington. Another Negro, one William G. Campbell, was arrested on suspicion without any evidence whatever. He was transported to the barracks of the Pennsylvania state police and put through the third degree. Participating were an assistant district attorney, a detective from the district attorney's office, and a police chief.

Campbell was beaten and then hung from the rafters. He became unconscious, was cut down, revived and beaten further. Campbell's physician revealed his condition to a judge, who referred the facts to the district attorney. The latter made a perfunctory investigation and whitewashed those accused of maltreatment.

Then Editor Sanborn got hold of the facts. He

published the story in full, with an editorial demanding prosecution of those involved. He was aided by another editor, E. S. Moser of the Collegeville Independent.

The accused officials tried to bluff Sanborn and Moser. They rearrested Campbell, though they had gathered no new evidence, and held him in jail for three weeks. As soon as he was released, Campbell swore out warrants for his assailants. State officials took up the case. The attorney-general appointed a special deputy to prosecute the case for the state.

The men who participated in the third degree proceedings were indicted and quickly brought to trial. They were convicted after a ten-day trial. Their appeal for a new trial was denied and sentence was imposed last month.

The assistant district attorney was sentenced to from eighteen months to three years in the penitentiary. His detective was sentenced to from one to three years in the same institution. The police chief was sent to the Montgomery county jail for six months.

This shows what a courageous editor can do. He edited a little paper in a relatively small town. Against him was arrayed the political machine of a notoriously corrupt state.

But he stuck to his guns and won. He really believed, to quote his own words, that "the idea of clubbing and choking accused persons into confessions is nauseating, repugnant to our judicial system and to the American spirit of fair play."

IN THE LAND OF THE FREE—

By Holloway

EXPLAINING THE SOUTH'S WEAKNESS FOR TAKING LIFE

"Humiliating," says The Norfolk Virginian-Pilot, "as our national homicide rate must be to all States (it is the highest among civilized nations, excepting Italy) the Southern States have reason to feel it most keenly." Of the seventeen States reporting rates for 1929 in excess of 10 per 100,000 of estimated population, 11 are in the South. The number includes Virginia. The average in the remaining States is about one-third that of the average of the homicidal seventeen.

Why? William Edgar Byrd, Jr., instructor in Rural Social Economics at the University of Virginia, in the University's News Letter, attempts to find the answer. Here, in part, is what he says:

Family training in the South teaches the children to hold pride and honor above everything else at any cost. It is for this reason that mores and folkways play such an important part in the high rate of homicide in the South. Public opinion and pride have been largely responsible for many deaths below the Mason-Dixon line. The Southerner is extremely individual and takes matters into his own hands without considering the law or the penalty that may be imposed by law. Having always been predominantly rural the trait of individualism which is well known to farmers, stands out among all Southern citizens. Their name or honor shall not be blemished even though human life is required to maintain the clear record. They do not hesitate to kill and fear no consequences since they are doing what their forefathers did and would have done today. In the North, people have not had the same mores handed down through the generations. They are much more law abiding, not possessing so largely the quality of individualism, but instead realizing how wrong it is to take human life. This is, I am sure, the most important reason for the prevalence of homicides in the Southern States."

To this, as a secondary reason, Mr. Byrd adds that school training in the South is deficient in general, and along the lines of good citizenship and altruistic behavior in particular.

The Virginian-Pilot, in its thoughtful comment, says:

Many disposed to agree with his first line of reasoning, will take issue with him on the second. The schools of the South for various reasons among them that the per capita wealth of the South is relatively low, are not quite so well equipped or so capably staffed as those in some other sections but the difference is hardly great enough to tip the scales and determine a particular kind of social behavior. Southern children are taught much the same things all other American children

are taught and in much the same way.

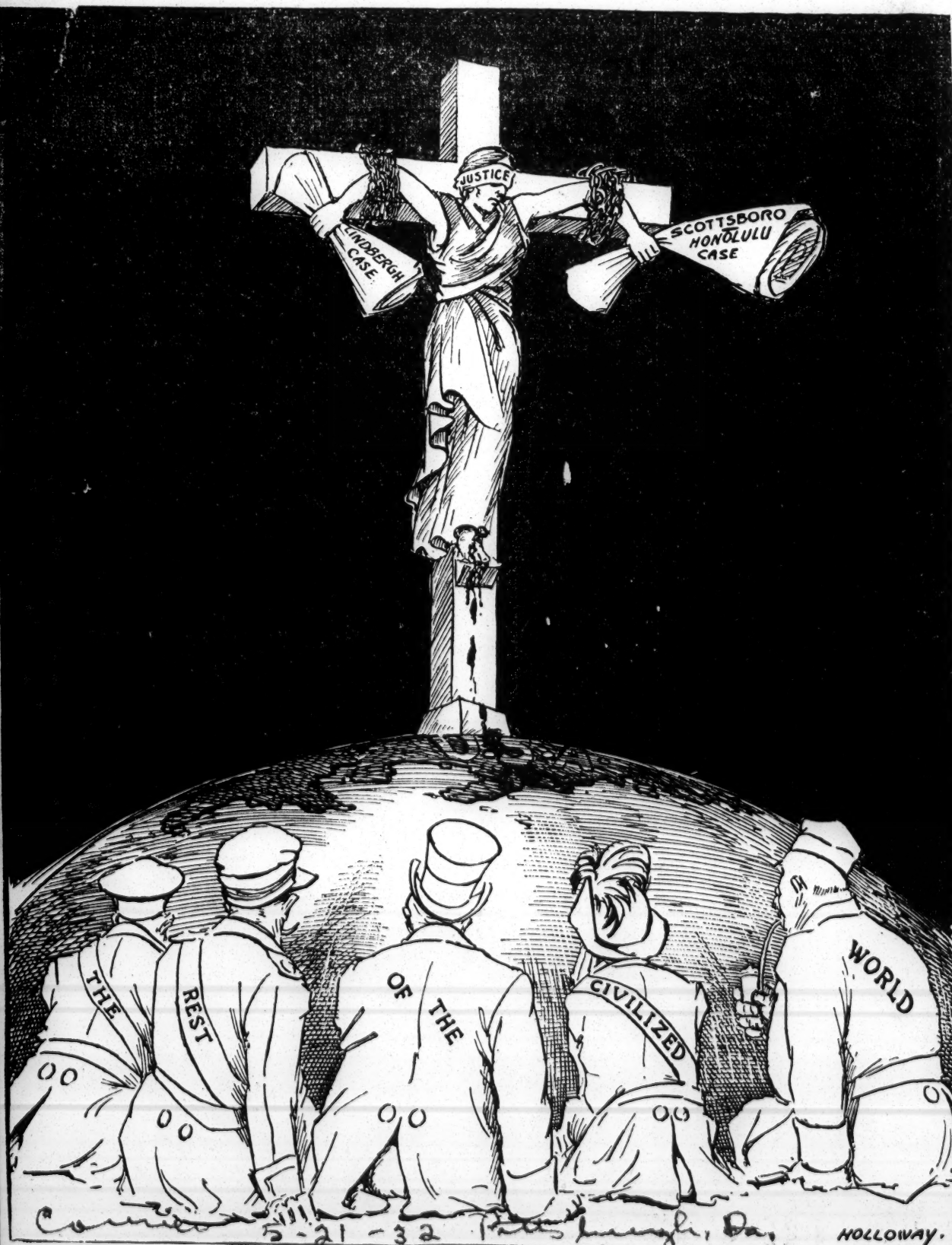
It may occur to some that the Southerner's proneness to take justice into his own hands may spring from the friction inescapable when two dissimilar races are brought into contact. That, on the authority of Dr. H. C. Brearley, of Clemson College, does not appear to be the case. This sociologist has assembled data indicating that the homicide rate among whites in the South is, by and large, the highest in the country. So we must fall back on Mr. Byrd's diagnosis unless our own minds and experience can produce a better one.

It is plain that we can better conditions by improving our law administration agencies and quickening public responsibility. Even the man stirred to a murderous pitch by a warped sense of honor will hesitate to commit a crime for which he is certain to be punished. The knowledge that he will be tried by a jury which holds protection of life in higher regard than outmoded ideas of personal vengeance will give him pause. One hesitates to assert that Southern lawmakers, sheriffs and courts have been less scrupulous than those elsewhere in the country but that they need to tighten up seems obvious from the present exhibit.

Isn't the code duello the villain in the play? The duel was tolerated in the South much later than it was tolerated elsewhere in the land. The duel was losing its respectability in the North as far back as the time of the Hamilton-Burr encounter. That spectacular tragedy immediately discredited the practice in Northern States. But not in the slave country. Here duelling lasted well up to, and even beyond, the War Between the States, not to be sure, as a lawful means of seeking personal redress, but as a more or less recognized means. The duel was winked at long after it was definitely outlawed.

Now, duels were fought, not so much because gentlemen were physically brave—they were all of that—as that they were morally weak. They were afraid not to fight, as they still are in lands where duels are tolerated. They were afraid of the ill-opinion of their fellows. One was expected to fight, or to seek a fight, at the slightest affront.

Men were easily affronted. If their pompous vanity was offended, they believed their honor had been outraged. Actually their honor was rarely outraged, but their vanity was frequently piqued. Men were peacockish and woe betide him who ruffled their pretty feathers, whether maliciously or facetiously. The old-time Southerner was gay-spirited; he was a happier man than the New England Yankee, but his laughter, like the Constitution he loved, had its checks and balances.



JUL 9 - 1932
IN DEADLY AMERICA

He did not laugh at himself, he did not permit anyone else to laugh at himself. The old-time Southerner was a charming romantic, but he flared up more easily than was good for him.

The slave master had a certain professional character to preserve at all costs. Now the passion to preserve a certain professional character makes ministers less wise and reliable as moral philosophers and teachers than other men of equal intelligence and worldly experience in whom the spiritual fires do not burn. It makes asses of "confirmed cynics," and sometimes clowns of heroes. It makes wits strive vainly to score every time they appear, when in fact sometimes their funny bone is frozen; it makes solemn orators lugubrious at unfortunate moments, it makes tiresome bounders of all-time crusaders.

The master of slaves was exalted by his inferiors, respected by his equals, and he did not acknowledge any superiors. That is a rather heavy emotional load for so weak a mortal as the strongest man is to carry without faltering. It has been done, but it was not, and is not, easy. Vanity feeds on power, and the men who have it are easy to offend.

The unpropertied white man tended to emulate the vices, if not the virtues, of the men he envied. He also had his fights, he had his vanity to shield against offense. The class among whom it was fashionable to have an occasional duel did not demand the prosecution and punishment of the formal duelist. That class could not very well insist upon even and exact justice for those who stabbed and killed in a much more rude and informal manner. Fighters and killers were long treated with singular kindness and consideration in the South. They were treated with relatively greater mercy than thieves, and of course respected more.

Of the millions of fist fights, cuttings and shootings that have occurred among white men in this Southern country since Washington's first inaugural we dare say that 75 per cent of them had their origin in relatively trivial causes which might have been amicably adjusted without loss of dignity or honor had the principals concerned been accustomed to think rationally about acts of violence. As rationally, say, as the average white man in the South today thinks of violence. For the Southerner has become notably less "hot-headed." Men down here rarely fight any more unless they are stewed. We can remember when most fighting seemed to be done by men who were sober—fighters were more popular than drunkards. Under the older and falser standards men did not have to be drunk to fight. We are very sure of

Still other factors enter into our homicide statistics. Traditionally our men have been sensitive about their women. Formerly they watched over their women with keen eyes. The slightest dereliction on the part of a woman might send her Lohengrin to a hospital or to his grave. A disparaging remark about her, or an actual wrong against her, would lead to serious trouble. There was so much eloquent praise of the Southerner's chivalry that he became a more or less self-conscious knight errant. But women got tired of that and stopped it. They seem to have discovered that this excess of knight errantry cheapened them. Today "the women—God bless 'em!" orator is laughed at by both men and women, and unless a woman asks for protection or redress the same are rarely tendered. Emancipation of women did not exclude the Southern woman. She is today as much a free soul as her sister in New England or the Far West. Men no longer go around looking for opportunities to redress the dubious wrongs of womanhood and thus shine as heroes. For the most part women do their own bawling out.

Our homicide statistics are swollen, too, because of the peculiar contributions to them made by the Negro. Negroes are impulsive and among themselves often fight to the death. It is not made clear by Dr. Byrd how the white homicide statistics in the South compare with the same class of statistics in other sections.

The South, however, undoubtedly leads in homicides. As to the fundamental cause, there will be many guesses. We have made ours, and offer it for whatever it may be worth.

AN APPALLING RECORD

During 1931, according to figures of the Department of Commerce, there were more than thirteen thousand murders in the United States.

This is based on the statement that there were one hundred and nine homicides for each million inhabitants and there being more than one hundred and twenty million people in this country the total is easily arrived at. It is useless to say that this is highest murder rate in the civilized world. It is, however, double the rate for 1900 and the orgy continues in this good year of 1932 probably with accelerated speed. If we continue our motor car and other forms of slayings we shall be able to boast to some countries that we kill more people every year than they have inhabitants.

By way of comparison of the records in other nations, an exchange points out that in fourteen leading Canadian cities the homicide rate last year was sixteen per million. While in Chicago it was one hundred and forty-one per million and in New York city eighty-three. In London it was eight per million and in Liverpool five. The highest rates are found in the south and a majority

of southern killings are by Negroes. Memphis, long at the top of the list for killings in proportion to population, was displaced by Birmingham where the homicide rate reached the astounding figure of five hundred and forty-nine per million.

The chief collector of these statistics in the department, Dr. Frederick Hoffman, says that few murderers are caught. Murder trials are long drawn out, he observes, and the crime and the punishment are too far apart to produce a whole-some effect. He favors life imprisonment rather than capital punishment as the penalty for murder, as leading to more even-handed justice. Those who go to the gallows now, he is quoted as saying, are mainly the aliens, the Negroes and the poor. That capital punishment has failed as a deterrent of major crimes of every nature is borne out by the frightful record as cited above in the United States last year.

It is not because of capital punishment that so few murders are committed in Great Britain but in spite of it or for other reasons, one of which is that justice is speedier and more certain. Dr.

Hoffman's explanation that the crime and punishment are too far apart to be effective seems plausible. Once some people believed that lynchings would prevent the commission of the nameless crime so prevalent in the South. But no greater mistake was ever made. Perhaps the prevalence of major crimes, including that of murder, in this country is due to some undiscovered or undiagnosed congenital weakness.

MORE WHITES THAN NEGROES ARE JAILED

STATISTICS IN COLQUITT REVEAL MARKED CHANGE DURING RECENT YEARS.

Thirty years ago negroes arrested in Colquitt county outnumbered white men arrested by more than two to one, says the Moultrie Observer. At this time, however, whites arrested outnumber the negroes accused by an even greater ratio. In 1901 the jail population was 161. Of these 122 were negro men, 13 negro women, 24 white men and two white women.

In 1930 the figures read 227 white men, seven white women, 120 negro men, 23 negro women. It was after 1920 that the number of white prisoners began to outnumber the negro prisoners.

America's homicide rate increased from 5.01 for each 100,000 population in 1900 to 10.8 last year. The rate in fourteen of the leading Canadian cities was 1.6 last year. But the farther north you go even in these United States the less unfavorable will you find the murder ratio.

It is in the south and the other more densely populated negro districts that killings are most numerous. Of the 126 murders reported in Atlanta in 1931, 106 of the victims were negroes. Of the 140 homicides in Memphis, but 20 were whites, and the same percentage holds for Nashville with its 110 tragic deaths.

The south refuses to be deeply disturbed by shooting affrays in their black belts, and it is this attitude which produces the statistics which brands the nation as shockingly murderous.

The homicide rate in the north has been increased by the gang murders which have been provoked by rivalry within the illicit liquor trade. When prohibition is ended, that unsavory record will be overcome.

Crime-1932

PRISON BRUTALITIES

Reporter 12-10-32

From down in Georgia where prison cruelties are being brought to light there comes reports of inhuman treatment of Negro prisoners that read like unbelievable tales. But for the fact that the camera always tells the truth we might be inclined to discredit such inhumanities in the midst of a high civilization. One stops to wonder about such things as the rights of prisoner or to wonder if, because one is convicted of a crime and sent to serve days he has the right of protection from cruelty at the hands of the state's agents. Georgia and Florida have come to the front recently with such shameful treatment of prisoners reported from outside agencies that one may surmise that the practice is general in these states and that the eyes of all social agencies in these parts are closed.

Certainly, a chaingang should not be a pleasure resort. That could not be expected with the type of humanity that meets the misfortune to lose their liberty. But cruelty to human beings in bonds seems so much beyond what a civilized community should stand for.

We have heard many stray tales of cruelty but the fact that they were not always authenticated has led us to think that they might not be so bad as they are pictured.

It seems that the whole matter of prisons needs to get a new view in the public eye.

We have humane societies that protect dumb animals from cruelty. We do not hear much of their interest in the barbarous type of human slavery reported from Georgia and Florida and other states for that matter.

A convict loses his right to enjoy the society of his fellows through the action of the courts but not his right to humane treatment when confined. Perhaps, after all, the best indication of a state's fitness to administer justice is found in its attitude toward its wards whom it takes for a season hoping to punish and reform. Besides the status of a ward of the courts of the state should carry the guaranties against injustice not compatible with the courts idea of human rights.

We hope an investigation will reveal the true conditions and a public appeal to stop this cowardly brutality will result in better conditions wherever the practice is followed.

PRISON ATROCITIES

The terribly inhuman treatment accorded prisoners, white and colored, brought to light through recent investigations conducted in Georgia, Florida and Alabama prisons has served to arouse thorough indignation among all humanitarians throughout our land. It is hard to believe, that in an age of supposed ultra civilization as this, there could live men capable of administering such brutal treatment to dumb brutes as they are described by investigators, say nothing of treating human beings in such a manner. The suggestion of Federal action with a view of placing the blame, punishing those responsible and putting an end to such atrocities is timely indeed. It would be far more beneficial to humanity to introduce legislation on the first day of the short session of Congress next week that would bring relief to those defenseless Negro and white sufferers from the brutal treatment of prison guards in certain Southern states than the introduction of a bill that would repeal the Eighteenth Amendment.

General.

SELMA, ALA. TIMES-JOURNAL

THE SOUTH'S BAD EMINENCE

The impression is widely prevalent that our most crime-infested centres are to be found in the North and that such places as St. Louis, Chicago, Detroit and Cleveland may be cited as our worst cesspools of lawlessness, but this view is unfounded. Southern cities, Memphis, Atlanta, Houston and Birmingham surpass all other communities in murders proportionate to population.

Chicago had a population of 3,458,100 in 1931, a total of 344 killings and a rate of 9.94 killings to the 100,000 of population. Houston had a population of 310,000, a total of sixty-seven killings and a murder rate of 21.61 to the 100,000 of the population.

But Houston by no means heads the list. Usually Memphis takes the spotlight as the most deadly city in America. The report on Memphis is not available. But Birmingham had a bloody record. Last year 101 slayings were recorded in that city. Birmingham's population was noted as 269,300 and its murder rate at 37.54 to the 100,000 of population.

That Southern cities should year after year have the highest murder rates in the country is a reproach to this section of the country. These statistics should challenge the better elements in the South to co-operate in bringing about an end to the custom of reckless killing that prevails in so many of the Southern cities.

Of course, the ready answer to the bad record shown by such places as Birmingham is that there is a large negro element and many clashes are unavoidable between members of the races. This circumstance may explain the regrettable situation to some extent but it does not atone for it.

RALEIGH, N. C.

NEWS OBSERVER

THE MURDEROUS SOUTH

More pleasing to Chicago than to the Southern States is the annual compilation of murders and the murder rate in American cities which every year is compiled by the municipal librarian of Chicago as balm to Chicago's inferiority complex.

The compilation shows that the nine American cities with the highest murder rates are in the South. Only six of the 25 cities with the highest tendency to murder in America are located outside of the South.

Southern apologists in the past have made excuse for this situation that it is caused by the

large Negro population in the South. Any one familiar with crime records in the South realizes that a large percentage of killings do come from the black ghettos of the Southern cities.

If, however, Southern killing is black, Southern ruling is distinctly white. The South has prided itself upon its Anglo-Saxon purity and Anglo-Saxon civilization. Not very long ago a distinguished Federal judge from the bench in North Carolina expressed a not very judicial contempt for the foreign elements in large Northern cities. While he spoke at his door his own country, which boasts its high percentage of native blood, was building the statistics of murder leadership.

Negro populations may be a cause of much murder in the South, just as certain of the foreign born may be a cause of crime in the North. But neither is an excuse. The blame for leadership in crime rests not upon a poor and ignorant black race in the South, nor upon the poor and ignorant foreign born in the cities, but upon the governments North and South which through weakness permit and indeed encourage the growth of violent crimes.

Reformation Of Law Violators.

Another case of very zealous law enforcement appears in the making. This time it comes from Virginia. According to the news reports, it is similar to that of the convict from Atlanta who is being sought for a second time for punishment after escapes that were followed by periods of obedience to the law. The Virginia authorities, however, appear to be altogether reasonable in their sentence to only one year of the man who was brought back from Ohio on the charge of killing a deputy sheriff at Pearlsburg.

The man who will make such reasonable amends to society has been an industrious and law abiding citizen engaged in the useful occupation of a steel worker. Not unlike the Georgia case he says that a family row resulted in his being made to answer for his old offense. It can not be said that a sentence of one year for homicide is a severe bit of punishment, even in the face of the fact that the victim has accomplished of and by himself what his punishment seeks to accomplish.

What is most to be hoped for in all such instances is that the return to prison associations of a law abiding citizen will not transform him into an enemy of society. This is a possibility that must be guarded against. Law enforcement seeks the reformation of law violators as much as the protection of society. If it forces its prisoners from lawfulness into lawlessness it becomes

defeat of its highest purpose. There is no superior alternative for law enforcers than the reformation of law violators.

LESS MURDERS THAN FORMERLY

Call 12-16-32
Twenty-two murders in 1932 as compared with 40—in any of the past years—that's improvement! When *Kansas City* began its fight to get Negroes to stop killing each other, at this time of the year more than double 20 had been killed each year. We began back in the days when the murder of a Negro by a Negro was a justice of peace case in which flimsiest excuse brought acquittal for the living slayer.

Then began the era of stronger prosecution, with a liberal sprinkling of convictions, punished by imprisonment. A few narrowly escaped hanging.

Today, the usual causes of anger are still with us, gambling, drinking, love tangles, and plain law-breaking. But the killers are being caught! Experience proves it is easier to stay out of jail by holding one's temper, than to get out of jail after letting it rage.

The Call looks upon this lowering of the city's murder record as one fight it made which everybody thanks us for because we said in definite terms what they must have been thinking.

NEW YORK

WORLD

DEC 5 1932

A Woman's Viewpoint

By MRS. WALTER FERGUSON

IN the safe seclusion of his editorial office, Henry L. Mencken uses his amazing gift for writing English to stir up the public to gun-toting. He advocates general armament for everybody so that fathers and sons, grandpas and maiden aunts can go forth and slay the racketeer. In the war between society and the outlaw, let society shoot and shoot to kill.

It is possible that this will happen. But if the worst comes to the worst, and we decide to adopt this method, we had better go gunning, first of all, for certain members of the legal fraternity.

The lawyer who adroitly circumvents plain facts and loses them entirely in thickets of technicalities so as to protect the fellow who menaces society is almost as bad for the country as the bandit himself. Indeed, in several notorious cases we know that attorneys were in cahoots with the outlaws. Chicago lawyers of a sort made no effort to disguise the fact that they acted as go-betweens for criminals.

MR. MENCKEN is explicit, however, on the subject of lynching. He is against it. He might be surprised to find that a good many of those who are on his side of the fence have no such scruples. The line drawn there is often very faint, not to say invisible.

If we believe that decent men and women should

be law-abiding, I do not understand how we can reasonably follow such a course without sinking into a state of wholesale mutiny.

Racketeering is such a thriving business now because so many of our so-called "good citizens" are in on it. It will not be disputed, I believe, that well known and supposedly honorable men invested in the illicit liquor business.

Gunning may get rid of our lesser Capones, but I for one fail to see how it will bring back the dignity of the law. Racketeering must be taken out of the government, out of respectable business enterprises and, most of all, out of the legal profession. When we have done that we can make short shift of the actual bandits.

DISPATCH

DEC 28 1932

THE CAUSES OF CRIME

President Frank J. Loesch of the Chicago Crime Commission and member of the Hoover Crime Commission or Law Enforcement, who has a summer home in Central New York, finds that there are nine basic causes for "the wave which is causing fear to enter the hearts and lives of all citizens," and offered a remedy for each.

"The usual police and law-enforcement control of crime, drawn from experience has failed to check the atrociousness and the number of felonies committed country-wide in the last decade."

The causes of this condition, Mr. Loesch listed from "personal experience, wide reading information which came to me in my several official capacities," as:

1. Largely unassimilable foreign immigrants from Eastern and Southeastern Europe.
2. The existence of slum districts in our larger cities.
3. The Eighteenth Amendment and prohibition laws.
4. Incompetent, corrupt and politician-ridden police.
5. The automobile as a crime breeder.
6. Dishonesty in high finance.
7. Incompetent and inefficient prosecutors.
8. The Negro law breaker.
9. The decline of religion and authority.

"Immigration has caused difficulties in the cities by bringing in groups unfamiliar with the English language and the principles of our government," he said.

Of the slum problem, Mr. Loesch said, "if civilization is not to perish, then means must be begun and persevered to extinguish them. It can be done by preventing their further spread and constructing under some form of organization better housings at low rents."

Crime-1932

Georgia

Negro Physician and Wife Reunited After 10 Years

Dr. M. Clarence Mitchell, Released From Prison, Returns
to East Macon Home That His Wife, a
Dressmaker, Had Saved for Him

By GEORGE D. W. BURT

Ten years of hope that sometimes hardened almost to despair—embittered months of disappointment—gray days of waiting—all ended for a Macon Negro couple as last midnight they struck at the Georgia State Prison farm near Milledgeville.

The woman waited while the joy-lit seconds crept into the darkness of the past; waited at his door to freedom as she waited for him everywhere for a hundred months. For him, the hour he so long had lived for was at hand, and happily together they went back home with his future spread before them, unspoiled and free.

They were Dr. M. Clarence Mitchell, who 10 years ago faced life imprisonment for murdering his nephew; and Lucia Mitchell, his wife, who kept a home for him here, and worked with a group of friends of both races to prove him innocent and to obtain his parole. He is a surgeon and she a dressmaker.

Last Christmas day Gov. Richard B. Russell, Jr., granted a parole approved several years before by the prison commission. Just when happiness and home seemed nearest, an old sentence for forgery in connection with the murder case appeared, and Mitchell's life went behind bars again.

The state alleged in its prosecution of the original case that he had burned his nephew to death to collect insurance money. The forgery sentence, which was passed in Macon county, grew out of allegations concerning the signature of insurance papers. Persons working in Dr. Mitchell's behalf since the trial have attempted to prove that the circumstantial evidence was fallacious and that the man was innocent.

Friday, as the time for his release drew near, he played a minor part in a tragedy of man-made death in the prison when a young man tried to drain his life out of severed veins before society could twist it out with the electric chair.

Fred Hulsey, sentenced to die with his father, was waiting in the dark death cell next to the silent, waiting, killing chair. His nerves stretched to the breaking point, and he sawed open his throat with a safety razor blade, and he hacked his wrists to the

bone while the blood ran hot from the body it was sentenced to grow cold in.

Gives First Aid

Dr. Mitchell was called, and gave the first aid to save the man's death for the state to do, to stay a hand that would have cheated the chair. He sewed the wounds while prison doctors were summoned. Perhaps it was because of him that Hulsey lived to reach the chair; lived to die in it vainly crying out the innocence of his father; lived to die praising God!

Dr. Mitchell himself was home early Saturday morning, and although his plans are in the future like their consummation, he expects to remain permanently in Macon, probably in the home his wife has kept at 529 Clinton str. t.

Life-Term Bribed To Pose For Spivak Book, Says Stanley

Judge Vivian L. Stanley, secretary and member of the Georgia prison commission, said Monday that the "charges" made by John L. Spivak in his book, "Georgia Nigger," were obtained by Spivak by hiring a Seminole county prisoner to pose for photographs which portray allegedly inhuman treatment administered Georgia prisoners.

"I am going to see District Attorney Clint W. Hager about federal prosecution of Spivak," Mr. Stanley said. "He posed as an agent of the federal government to obtain a blanket pass to all of our convict camps, and I am going to prosecute him for impersonating a federal officer."

The state prison commission is called upon to answer the charges made in Spivak's book in a letter signed by a committee of members of the American Civil Liberties Union, which reached the state capitol Monday from New York. Secretary Stanley was the only commissioner in the city Monday, but Judge E. L. Rainey previously had said at his home at Dawson that the charges would be investigated.

"Spivak came into my office some months ago and told me he was a federal officer," Stanley said. "After the book came out I saw the pictures and I knew no such condition existed in our prison camps. I sent inspectors to Seminole and other counties and found that in Seminole Spivak had bribed a life-term prisoner to lie in the positions in which he is photo-

graphed in the book. He paid the prisoner and when the convict realized what he had done he escaped."

The book charges that prisoners in the Georgia camps are treated inhumanely and given old and disbarred manners of punishment.

Commissioner Stanley vehemently denied that he had asserted that "Georgia does not feed its prisoners anything but dog food."

"On the contrary, we do our best to restore every man who becomes a state charge," Mr. Stanley said. "We succeed in some cases and in others we don't. It all depends on the man. I can cite hundreds of instances my self where men who served time in our chain gangs were given the inspiration given them while they were in prison."

The letter from the Civil Liberties Union calls upon the commission to answer the charges and this is what Stanley says the commission will do. The letter was signed on behalf of the union by Dr. Broadus Mitchell, of Johns Hopkins University; Miss Ellen Glasgow, of Richmond, Va.; Dr. Elbert Russell, of Duke University; Robert S. Keeler, Memphis attorney; Dr. James H. Dillard, of Charlottesville, Va.; Dr. George W. Kirchwey, former warden of Sing Sing prison; Professor Edwin M. Brochard, of Yale University law school; James Eldon Johnson, of the National Association for the Advancement of Colored People; William Pickens, of the same organization; Oswald Garrison Villard, editor; Dr. Harry F. Ward, chairman of the

SPIVAK CHARGES DENIED.

The prompt denial by Secretary Stanley of the prison commission, of the charges of the American Civil Liberties Union of cruelties in Georgia's prison camps will occasion no surprise to the people of the state. 11-22-32

Mr. Stanley reveals that the charges in the Spivak book, on which the latest protest is based, are false in their entirety. He further affirms that the photographs contained in the book do not represent scenes ever enacted in a Georgia convict camp, but were posed by a convict bribed for the purpose.

This is not the first time that libelous and untrue charges have been made against the penal system of Georgia by men actuated either by desire for revenge for fancied wrongs, for pecuniary gain or for other selfish reasons.

Especially of late have these charges against the good name of Georgia followed each other in rapid succession. They are no doubt baseless, but they are, nevertheless, bringing the state into disrepute with those in other sections of the country who may see the wide publicity given the allegations of cruelty, but who seldom see their exposure as fakes.

No Georgian would countenance the existence of such conditions as are being attributed to our prison camps. Especially would this be true of the outstanding Georgians who compose the state prison commission and who are charged with the responsibility of the various camps being conducted in conformity with the law.

Commissioners Rainey, Johns and Stanley are public officials of the highest caliber, whose humanitarianism and devotion to the best in-

terests of the state and the convicts in their charge have been demonstrated time and time again. Such men would not permit to grow up, either through lack of attention, indifference or ignorance, such conditions as charged in the penal system under their direction.

Regardless of the truth or falsity of the Spivak charges, it is clear that the commission should institute an investigation that will uncover every charge made. This investigation should be undertaken at once.

It is manifestly impossible that any such conditions as alleged by Spivak exist in Georgia, but the widespread publicity they have been given by the activity of the American Civil Liberties Union make it imperative that their refutation should be gone about in a manner that will leave no possible room for doubt as to the facts.

Guardsmen Given Six Months And Thousand Dollar Fine

For Slaying Negro Youth at the Fair Grounds On
Thanksgiving Day

HE WAS RUTHLESSLY SHOT IN THE BACK
The Savannah Tribune
Boy With Others Had Crawled Through Hole
Pamphlet to Witness the Automobile Races

12-22-32
After deliberating several hours on the case of John L. Gill, a national guardsman, who shot Lawrence Gilmore, a Negro lad of 18 years, to death Thanksgiving afternoon at the Fair Grounds, a jury in the Superior Court returned a verdict of guilty of involuntary manslaughter in the commission of a lawful act. Thursday afternoon, Gill was sentenced Saturday by Judge Meldrim to pay a fine of \$1,000, and serve six months in jail.

The killing of young Gilmore who was a school boy at Cuyler High School, had all the earmarks of being one of the most wanton murders committed here for some time. The lad had gone to the fair grounds to witness the automobile races, and, together with other boys, both white and colored, sneaked through a hole in the fence. Gill, who was doing guard duty, saw the boys and when he went after them they turned and ran back to the hole in the fence through which they had entered and escaped. Young Gilmore, it seems, was the last boy to start to the fence and as he was running to the hole, the guard shot him dead, the bullet entering the lad's back.

At the trial Thursday of last week, Gill, in an unsworn statement, told the jury he shot Gilmore accidentally. He said he shot to the left of the boy in the hope of turning him back as he fled toward a hole in the fence. Gilmore, he said, was one of a crowd of Negroes who entered the Fair Grounds, where a race was in progress, without paying admission.

Olaf Otto, Jr., testified he had seen the shooting from a distance. He said he saw Gilmore pursued by the special policemen. He saw the boy hesitate at some barrier in his path, then saw the policeman fire and Gilmore drop to the ground. Gill took deliberate aim, he said.

Ellis Priester, a youth, related substantially the same story. He, like Mr. Otto, said he did not see the events that led up to the shooting.

Dr. G. H. Johnson, county coroner, said the bullet which killed Gilmore struck him in the back, to the left of the spine and ranged forward and upward, coming out at the breast. The state's attorney charged it should be concluded from Dr. Johnson's testimony that the shot was fired at a fleeing man.

Solicitor Hartridge had summoned 20 witnesses for the state, only four of whom were called to the witness stand. Gus Edwards, the fourth state's witness, told a story of the shooting which corresponded to those related by Olaf Otto, Jr., and Ellis Priester.

His wife, with an infant in her arms and a boy of about 4 years were with Gill at the defense table during the trial.

The unfortunate lad was the son of Mrs. Emily Smith Gilmore, of 5 Stiles Avenue. Besides his mother, he is survived by a sister and a brother, George Gilmore.

N.A.A.C.P. Helps Save Burns From Dixie Mob

12-21-32
Chicago, Ill.

TRENTON, N. J., Dec. 30. — Producing John L. Spivak, author of "Georgia Nigger," to testify against Georgia's chain gang and prison camp system, at the hearing before Governor A. Harry Moore, and with its secretary, Walter White, in attendance, the National Association for the Advancement of Colored People played its part in the victorious fight to prevent

extradition to Georgia of Robert Elliott Burns, author of "I Am a Fugitive From the Chain Gang".

In addition the N. A. A. C. P. prepared a list of the extradition cases fought in various parts of the country by the national office and the branches, and these were placed in the hands of Arthur Garfield Hayes, who in his powerful address as attorney for Burns made use of the material the N. A. A. C. P. had prepared.

Georgia Denied Prisoner

The list prepared by the N. A. A. C. P. showed that it had been successful in preventing no less than 14 extraditions to southern states and that in six of these cases the extradition had been refused by state governors at the association's instance, backed by the lynching figures of the states seeking to remove the prisoner.

Governor Moore finally refused to grant the request of Governor Russell of Georgia, who requisitioned the New Jersey executive for the return of the escaped convict.

GREENSBORO, N. C. NEWS

BURNS' EXTRADITION.

The indignation of Governor Russell, of Georgia, at the refusal of Governor Moore, of New Jersey, to honor Georgia's requisition for Burns, who went to the chain gang of that state for a hold-up which netted him \$480 turned his imprisonment to account by writing a story which made the movies, is understandable. There is nothing in the New Jersey law and prophets tending to indicate that justice is more nearly arrived at in the neighborhood of Trenton than Atlanta.

And yet the youthful chief magistrate of Georgia does not strengthen his case by denouncing a colleague for a possible desire for publicity or by bringing up the Lindbergh case. There is, not only along the more northern seaboard, but even among

Georgia's nearer neighbors, a feeling that her penal system could be improved on—for that matter what state's system could not?

The point Governor Russell would have done well to emphasize is that robbery by force and arms is pretty much on the same footing in all the states, and that it is in the eyes of the law as great a crime to conduct a hold-up resulting in a cash profit of \$4.80 as to take in \$480, \$4,800 or \$48,000. The decimal point has nothing to do with it.

Nor does the fact that Burns is able to turn his quasi-autobiography into a scenario alter the fact that he is due the state of Georgia several years of servitude in payment for his crime. Of course, he didn't like the chain gang; few do. Perhaps he did have it hard, but by his own account nothing like so hard as many a Georgia negro or pore white who stole a cow, calf or side of bacon.

Governor Moore makes a point of preserving his good humor and wishes Governor Russell a merry Christmas; but he isn't helping with the administration of justice by reversing jury conviction and judge's sentence in a sister state.

Crime-1932

TWO MUST DIE IN CHAIR SOON; BOTH CONFESS

Crime, Inquiry, Trial and Con-
viction Are Kept From
General Public
ONE OF MEN WENT FOR AID
Called Doctor Before Guilt Be-
came Known; Woman Still
Semi-Conscious

The story of a Webster county man who was slugged into uncon-
sciousness and his wife, sleeping be-
side him, ravished by two Negroes,
was told here Tuesday afternoon
when Sumter county officers
brought the Negroes, already under
death sentence, to the Bibb county
jail for safekeeping.

The crime was committed in
Webster county where Tuesday
morning the Negroes were given a
trial lasting an hour and a half and
sentenced to die Oct. 28.

The crime was committed three
miles from Preston, county seat of
Webster county, at midnight Aug. 12
and until yet, it is not generally
known in that section the officers
said. They have not only worked in
secret during the investigation, but
the fact of the crime itself was not
given to the community.

Officers said both of the Negroes—
Charlie Green, Jr., and Pascha
Baker—confessed, requiring only a
formal trial.

Court convened at 9 o'clock Tues-
day. Sentence was imposed by
Judge R. L. Greer, Montezuma, and
by 10:30 o'clock the officers were
en route to Macon at a rapid rate of
speed, they said. The Negroes will
be held here pending the electrocu-
tion.

Knocked Unconscious

The man and woman, both victims
of the Negroes' iron weapons, live in
a Webster county farm house. The
Negroes said they entered the
house at midnight, Aug. 12, by a
kitchen window and made their way
slowly to the bedroom where the
couple was sleeping.

The story was told here by Sheriff
W. A. Chappell of Sumter county,
who has spent most of his time, re-
cently, he said, investigating the
case.

The Negroes confessed to him.
They told him, he said, they went
to the bedroom and, standing on op-

posite sides of the bed over the
sleeping couple, slugged both of
them into unconsciousness—one using
a hoe, the other a piece of iron.
Both of the Negroes assaulted the
woman, of middle age, and left the
house. Physicians reported that the
blows administered by the Negroes
would have killed the couple had
not their heads been lying on feather
pillows.

Attacker Went for Aid

The husband was unconscious for
nearly two hours. Discovering what
had happened, Sheriff Chappell said
the farmer hurried to the nearest
residence to summon help.

The nearest residence, the officer
said, happened to be that of Green.
Both the Negroes were there. They
are brothers-in-law. The story was
related to Green and he sped away
to Preston for medical aid. Baker
remained there. The woman still was
lying unconscious at home. She is
said still to be in a semi-conscious
condition. She was unable to appear
in court Tuesday, and according to
Sheriff Chappell, she is unaware of
having been assaulted. The Negroes
admitted they assaulted her.

Officers began investigating the
case. Sheriff Chappell and his depu-
ties—J. C. Shy and J. C. Arrington—
were called in to assist.
While the fact of the crime was
hushed, every Negro in the com-
munity, including Green and Baker,
was arrested. They were dispatched
to various county jails for safe
keeping.

White Man Absolved

Green was taken to Sumter county
jail. As it so happened, Sheriff Chap-
pell said, "there was a Negro in
the Sumter county jail who had
known Green in Jacksonville. They
talked and Green told his old friend
everything. He said he committed
the crime, but withheld the facts in
the case."

After Green, trapped, had told the
story to Sheriff Chappell the officers
concentrated their efforts on Baker
and obtained a confession from
him. Both told the story about two
weeks ago.

In an effort to furnish a motive,
Green and Baker linked a white
man, Phil Sapp, tenant of the same
farm with the victims in the crime.
They told Sheriff Chappell that
Sapp had a disagreement with the
man and his wife concerning the fi-
nancing of the farm and "offered us
\$25 to kill them." They said Sapp
was with them when they commit-
ted the crime and held a light for
them to get in the window.

The grand jury investigating the
case, however, exonerated Sapp, re-
turning a no true bill in his favor.

Courtroom Cleared

The Negroes were indicted at the
regular term grand jury and attor-
neys were appointed to represent
them. The Negroes desired to enter
pleas of guilty Tuesday, but under
the law they cannot in capital cases.

Their admissions made trial of the
case only a formal procedure, offi-
cers said.

The Negroes were represented at
the trial by Mitt Walker and Cleve-
land Ross. Solicitor Hollis Fort con-
ducted the prosecution. The court-
room was cleared of spectators dur-
ing the trial.

Charges of Cruelty on Chain Gang To Be Investigated by Cobb Jury

MARIETTA, Ga., Nov. 18.—Mar-
tin F. Amorous, foreman of the Cobb
county grand jury, stated today that
a thorough investigation of charges
of cruelty to inmates of the county
convict camp would be made when
the jury reconvenes here Monday
morning.

The grand jury, which was con-
vened here last Monday, had already
adjourned Thursday for the week-end
when the resolution signed by 10
members of the Marietta Woman's
Club and three Marietta ministers,
asking for an investigation of the
treatment of convicts, was presented
to Mr. Amorous.

The resolution was signed by the
members of the Woman's Club and
the ministers after they had heard a
former inmate of the camp charge
that the prisoners were cruelly and
illegally punished. The charges were
made at a special meeting called by
the president, Mrs. John Dorsey, at
the Woman's Club Wednesday after-
noon.

Mr. Amorous, foreman of the jury,
is one of the most prominent men in
the county and one of the best-known
agriculturists in the state.

BEAUMONT, TEX

ENTERPRISE

DEC 1 1932

ABUSES IN PRISON CAMPS

The American Civil Liberties Union and 1
prominent Americans have demanded that the
Georgia prison commission explain the brutali-
ties found in Georgia prisons and prison camps
by John V. Spivak and described in his book
'Georgia Nigger.' The Nation adds its protest
saying: "Mr. Spivak has published documents
and photographs to support his charges. He
discovered convicts suspended in stocks by
wrists and ankles; convicts 'put in barrels'; con-
victs trussed up and 'restricted of movement'—
one photograph shows a boy with a pick handle
thrust between his bound wrists and ankles;
convicts subjected to 'stretching,' a torture
which involves pulling the victim's arms apart
as far as possible by ropes attached to his hand-
cuffs and lashed to posts; convicts shackled and
suffering from 'shackle poison,' caused by irons
riveted around the ankles working into the
flesh; convicts in iron collars, chained to their
bunks."

Convicts are also beaten in southern prison
camps, and sometimes they die of the mistreat-
ment to which they are subjected, just as a
young man did recently in Florida, after being
confined in a "sweat box." Mr. Spivak quotes
one prison commissioner of Georgia as saying,
"Georgia does not feel that the state owes any-

thing to the convict." Surely, there are not
many prison commissioners who share this
man's opinion.

Abuses exist in southern prison camps be-
cause they are tolerated. But they are not in-
cluded in the sentences imposed by the courts.
When a white man or a negro is sentenced to
serve a term at hard labor, the court does not
sentence him to be beaten by his guards to the
point of death; to be given filthy, insufficient
food; to be confined in places that would turn
the stomach of a hog; to be shut in a "sweat
box," trussed up in chains or tortured in other
ways.

CHARGES OF CRUELTY TO CONVICTS DENIED

Warden Tucker of Decatur
County Says Spivak Accu-
sations Are False.

12-2-32

BAINBRIDGE, Ga., Dec. 1.—
George S. Tucker, warden of Decatur
county, in a statement here, denies
the charge that convicts have been
"restricted in movement," as made
in the book "Georgia Nigger," by John
L. Spivak, of New York. Warden
Tucker also denies that convicts were
photographed in Decatur county wear-
ing spikes riveted around their ankles,
as also stated in the book.

Spivak's book was recently made
the basis of an accusation of undue
cruelty to convicts in Georgia, made
by a group of 12 prominent Ameri-
cans on behalf of the American Civil
Liberties Union.

"There has never been a spike or
any extreme encumbrance put on a
man under me," says Mr. Tucker.
"Occasionally I have to discipline a
man but it is done in a humane way
and in extreme cases they are double-
shackled with the shackles made out
of light chains. At times we have
over a hundred men at this camp
with not a chain on a man."

"There has never been stocks or
sweat boxes on the premises or used
and no man received inhuman treat-
ment at any time during my admin-
istration as warden in the county or
as warden in Burke county, Georgia,
or Leon county, Florida. I am per-
fectly willing and gladly welcome in-
vestigation of my treatment of pris-
oners at any of the three above named
places."

Mr. Tucker explains in detail the
method used in keeping and working
the convicts in this county and shows
that they are well fed, comfortably

housed and worked with every con-
sideration for their health and com-
fort. He also explains the operation
of the large county farm on which
nearly all of the foodstuffs used at
the camp are raised.

PRISON IMPROVED, MITCHELL THINKS

Macon Negro Physician, Re-
cently Released, Says Con-
ditions Are Better

Conditions at the Georgia State
prison farm at Milledgeville have
improved in the past year and the
relations between prisoners and
guards are much better, Dr. M.
Clarence Mitchell, Negro physician
said in a letter addressed to The
Telegraph Tuesday.

Dr. Mitchell was released from
the state farm about 10 days ago.
He served 10 years of a life im-
prisonment sentence on a murder
charge.

He has now returned to Macon
and resumed his practice.

"After having spent a number of
years at the state farm I want to
speak of the great improvement that
has been made there in the past
year," Dr. Mitchell wrote, "under
the management of Judge B. H.
Dunaway as superintendent and
Captain W. L. Proctor as warden.
For anyone to have either served
time or visited there some years
ago and to go there now you would
think it is a new place altogether.
Captain Proctor has been warden
not quite one year. The relations
that exist between prisoners and
guards are so much better until it
is seldom that there is either an
escape or an attempt. The pris-
oners feel free to approach both war-
den and superintendent at any time
and know that they will receive a
pleasant answer."

"A great improvement has been
made under Warden Proctor in
their meals, clothing, as far as it
is in his power, and the buildings.
Everything has been freshly paint-
ed, since the new warden has been
appointed. It is seldom that any
one is ever punished at the state
farm, and when they are it is be-
cause nine times out of 10 they
bring it upon themselves. The pris-
oners have a Sunday school which
was organized by the writer more
than nine years ago. C. C. Hill,
who is now superintendent of the
Sunday school, was at one time des-
perate and slept in the death cell
with Leland Harvey for six months.
Now he has charge of the white
mess hall and enjoys the confidence
of the prison officials."

"The officials endorse the reli-
gious work that is being done at
the state farm by the chaplain, Dr.
E. C. Atkins, in his efforts to
help reform men that are sent to
the state farm. The enrollment is
more than 150 and about 100 are

present each Sunday morning in the
Sunday school. I write this in fair-
ness to both prisoners and officials,
with a sincere desire that the pris-
oners may even receive better treat-
ment if possible and that even
greater improvements may be
made."

DEC 1 1932

Abuses In Prison Camps

The American Civil Liberties Union and 11 prominent Americans have demanded that the Georgia prison commission explain the brutalities found in Georgia prisons and prison camps by John Spivak and described in his book, "Georgia Nigger." The nation adds its protest, saying: "Mr. Spivak has published documents and photographs to support his charges. He discovered convicts suspended in stocks by wrists and ankles; convicts 'put in barrels'; convicts trussed up and 'restricted of movement'—one photograph shows a boy with a pick handle thrust between his bound wrists and ankles; convicts subjected to 'stretching,' a torture which involves pulling the victim's arms apart as far as possible by ropes attached to his handcuffs and lashed to posts; convicts shackled and suffering from 'shackle poison,' caused by irons riveted around the ankles working into the flesh; convicts in iron collars, chained to their bunks."

Convicts are also beaten in southern prison camps, and sometimes they die of the mistreatment to which they are subjected, just as a young man did recently in Florida, after being confined in a "sweat box." Mr. Spivak quotes one prison commissioner of Georgia as saying, "Georgia does not feel that the state owes anything to the convict." Sure, there are not many prison commissioners who share this man's opinion.

Abuses exist in southern prison camps because they are tolerated. But they are not included in the sentences imposed by the courts. When a white man or a negro is sentenced to serve a term at hard labor, the court does not sentence him to be beaten by his guards to the point of death; to be given filthy, insufficient food; to be confined in places that would turn the stomach of a hog; to be shut in a "sweat box," trussed up in halls or tortured in other ways.

ATLANTA, GA.

GEORGIAN

DEC 13 1932

The Right and Wrong Kind of Police Work

WHEN Patrolman C. E. Hale, serving as a volunteer policeman and working long after his regular hours, Saturday night shot to death a bandit engaged in holding up a grocery store, he performed the type of police service most likely to be effective.

If a few more bandits and burglars, caught in the act, are dealt with in this summary fashion, the wave of robberies which has terrorized Atlanta may come to an abrupt halt.

The Georgian congratulates the city and its police department upon having such officers, and is especially glad to congratulate Patrolman Hale, whose daytime beat is in Marietta Street, near The Georgian Building. He has demonstrated that controlling traffic and helping children and old ladies across a street need not sap an officer's courage—nor weaken his trigger finger.

That was good police work. The Fulton County Commission last week brought to light an example of bad police work, when, by discontinuing its fee of \$2 to "stool pigeons" and "snitchers" who informed the Sheriff's office of liquor violations, it exposed that practice.

Examination of police records—city and county—reveals that an enormous proportion of arrests represent petty violations of the prohibition law. Negroes with half-pints, back alley peddlers of white corn, "turned up" by informers who are paid \$2 per conviction.

The courts are clogged with these cases, the chain gangs so crowded with offenders, that feeding and guarding them makes a serious drain on the county treasury. The families of these petty criminals are supplicants for public charity. The time of the officers is taken up with trailing and arresting these half-pint violators of law and waiting for hours in court until their cases are called.

In the meantime, every day and night bring fresh accounts of holdups, robberies, burglaries—and sometimes murder. Citizens are afraid to go home in the dark. Few dare risk carrying more than a few dollars on the person. Neighborhood merchants and filling station operators, frequently alone, are at the mercy of these prowling bandits—potential killers.

The Georgian believes—and its opinion probably is shared by thousands of citizens who frown upon the liquor traffic—that if the time and effort devoted to running down and trying petty violators of the prohibition law were concentrated instead upon the protection of citizens from bandits and burglars, the various law enforcement departments would render more efficient service to the community.

Crime - 1932

Georgia Takes Life of Friendless Boy as None Protests Death Penalty

By Frank Marshall Davis

The mighty juggernaut of racial prejudice rolled by Tuesday, and when it had passed it had crushed all life from the youthful form of a 15 year old Negro boy.

For at Milledgeville the state had electrocuted Eddie Marsh, just a kid, for the murder of Walter Campbell, white, a Dougherty county pecan grower.

How many white boys of 15 has Georgia electrocuted?

They say this little brown kid confessed to the crime and implicated another Negro whom the grand jury did not indict. They say also that after his conviction he changed his story of the murder several times and once declared the killing was done by three white men from Waycross.

Which was right?

If he confessed, what methods were used to force an admission of guilt from a frightened and underprivileged boy of 15?

They found Eddie after he ditched Campbell's car, which he was driving from the scene of the killing. That was near Ocilla, Georgia. They found Campbell's body in a crude grave at the rear of his home. Then they arrested and tried the kid.

So Tuesday he paid with his life. He went to his death unafraid, say those who witnessed the electrocution. Three shocks, and Society had been avenged.

The boy may have been guilty. Nobody really knows. But if guilty, was the state's killing of a child the only way out? What would make a boy of 15 want to murder a white man, anyway? Was he right, mentally? What were the circumstances surrounding his bringing up? Did he have the normal environment of a healthy boy of 15? Was not this same Society which took his life at Milledgeville responsible for him before the killing, for those conditions which culminated in the killing?

Just what did the color of his skin have to do with his conviction and sentence?

And, of all things, where was the National Association for the Advancement of Colored People which ordinarily takes a hand in such things?

It seems that here was a chance for the organization to greatly endear itself to the Negroes of Georgia, who are the most in one state anywhere in the nation.

That International Labor Defense, which howls and yaps to high heaven on the slightest provocation, was also

conspicuously absent.

News of the trial and conviction was carried in The Atlanta World prominently Sunday, January 24, and it appeared also in the daily press and other weekly newspapers. Both organizations should have known of it.

This State of more than 2,000,000 black and white folk may have had no lynchings in 1931, but it has started 1932 with a mark almost as black.

If white Georgia, which controls the courts and the government, can find no shame in the electrocution of a child who had six years to wait before he could be called a man, and who was convicted on circumstantial evidence and a questionable confession, then the state should sit at the feet of the most savage cannibal tribes and learn something of civilization.

Black Georgia, too, is guilty, for of the more than a million Negroes here, how many of us protested in any way the execution which was set for February 9?

Is Georgia, white and black, a state of kid killers?

There is nothing anybody can do now.

The boy is dead. Nobody, white or black, can restore his life.

But what of the future?

Let's hope Georgia will never have another Eddie Marsh case, but if it does, what will you and the fairminded white people of Georgia do? **Russell Frees Negro Death Chair Builder**

The man who built the electric chair at Georgia's state prison has been paroled—but not because he built the chair.

For good conduct as a prisoner, and because of some doubts as to his guilt, Governor E. B. Harrison Tuesday ordered that Alonzo McCalla, negro woodworker, be freed on probation.

McCalla was convicted of slaying his wife in Atlanta in 1922. One of his assignments at Milledgeville was to construct the chair in which killers pay the law's penalty for capital crimes.

HUMANITY IN WHITFIELD COUNTY CONVICT CAMP

A convict was accidentally killed in Whitfield County a few days ago, by a road truck turning over on him. This convict was buried by the branch office of the Hanley Company at Cartersville, Georgia, for which Whitfield County paid the Hanley Company quite an hundred dollars. This compared with the miserly sum that Atlanta and Fulton County pay for the burial of a convict is astounding and disgraceful to our civilization. Fulton County pays \$20.00 for the burial of a convict and the city of Atlanta \$11.00.

The poor devils who die in stripes

are not given a decent Christian burial; for the amount allowed for the burial of each convict is not enough to cover the expenses of burying an animal of a lower specie.

The Warden of Whitfield County allowed the dead convict an escort of his peers to accompany him to the funeral bier. These convicts appeared dressed in pure white uniform and white caps trimmed in black in the streets of Atlanta, and were given a dinner at the restaurant of Mrs. Annie May Pitts on Bell Street in front of the home office of the Hanley Company. President Hanley was in charge of the funeral and conducted it with the same reverence as if it had been the funeral of a leading divine. President Hanley forgot the plight of the unfortunate convict and was possessed of the fact that he was burying a human being.

The Independent is making mention of this incident to show that all the convict camps in Georgia are not pests holes and in charge of brutes who do nothing but drive, starve and punish the unfortunate; and to call the

attention of the public to the fact that Jesse Hanley, he president of the Hanley Undertaking Company treats every man alike; that he gives the same consideration and

KILLERS TAKE FEARFUL TOLL OF NEGRO LIFE

Atlanta Survey for '31 Shows 76 Slain, 20 By Whites; and 10 By Unknowns

ATLANTA, Ga.—During 1931, 80 Negro killers in Atlanta slew 76 Negroes and 4 whites and constituted 73 per cent of the 109 killers identified. Four-fifths of the Negro homicide victims were slain by members of their own race.

These are the startling facts revealed by an exhaustive study of the city's homicide record for 1931 made for the Commission on Interracial Cooperation by the Atlanta School of Social Work, and given to the Negro press by the former organization.

An analysis of this record which gives Atlanta one of the highest homicide rates in the entire country, reveals the following facts:

Total number of victims 128, of whom 106 were Negroes and 22 whites. Twenty-two of the Negro victims were women. Known killers 109, of whom 80 were colored and 29 white. Of the Negro killers 14 were women. Negroes killed by Negroes 76. Negroes killed by civilian whites 9. Negroes killed by police 11. Whites killed by Negroes 4. Whites killed by whites 9. Whites killed by police 1. Killers unidentified 19. These figures gives the following percentages:

Negro victims, 83 per cent of total; white victims, 17 per cent.

Negro slayers, 73.4 per cent of

total; white slayers 26.6 per cent. Of the 96 Negro victims whose slayers were identified, 79 per cent were killed by Negroes, or 4 in every 5, 9.4 per cent by civilian whites, and 11.4 per cent by police. Commenting editorially on this danger is from members of his record the Atlanta World Negro own race.

Crime - 1932

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Death Chair Builder

The man who built the electric chair at Georgia's state prison has been paroled—but not because he built the chair.

For good conduct as a prisoner, and because of some doubts as to his guilt, Governor Blease Tuesday ordered that Lonza McCalla, negro woodworker, be freed on probation. McCalla was convicted of slaying his wife in Atlanta in 1922. One of his assignments at Milledgeville was to construct the chair in which killers pay the law's penalty for capital crimes.

HUMANITY IN WHITFIELD COUNTY CONVICT CAMP

A convict was accidentally killed in Whitfield County a few days ago, by a road truck turning over on him. This convict was buried by the branch office of the Hanley Company at Cartersville, Georgia, for which Whitfield County paid the Hanley Company quite an hundred dollars. This compared with the miserly sum that Atlanta and Fulton County pay for the burial of a convict is astounding and disgraceful to our civilization. Fulton County pays \$20.00 for the burial of a convict and the city of Atlanta \$11.00. The poor devils who die in stripes

are not given a decent Christian burial; for the amount allowed for the burial of each convict is not enough to cover the expenses of burying an animal of a lower specie.

The Warden of Whitfield County allowed the dead convict an escort of his peers to accompany him to the funeral bier. These convicts appeared dressed in pure white uniform and white caps trimmed in black in the streets of Atlanta, and were given a dinner at the restaurant of Mrs. Annie May Pitts on Bell Street in front of the home office of the Hanley Company. President Hanley was in charge of the funeral and conducted it with the same reverence as if it had been the funeral of a leading divine. President Hanley forgot the plight of the unfortunate convict and was possessed of the fact that he was burying a human being.

The Independent is making mention of this incident to show that all the convict camps in Georgia are not pests holes and in charge of brutes who do nothing but drive, starve and punish the unfortunate; and to call the

attention of the public to the fact that Jesse Hanley, he president of the Hanley Undertaking Company treats every man alike; that he gives the same consideration and

KILLERS TAKE FEARFUL TOLL OF NEGRO LIFE

Atlanta Survey for '31 Shows 76 Slain, 20 By Whites; and 10 By Unknowns

ATLANTA, Ga.—During 1931, 80 Negro killers in Atlanta slew 76 Negroes and 4 whites and constituted 73 per cent of the 109 killers identified. Four-fifths of the Negro homicide victims were slain by members of their own race.

These are the startling facts revealed by an exhaustive study of the city's homicide record for 1931 made for the Commission on Interracial Cooperation by the Atlanta School of Social Work, and given to the Negro press by the former organization.

An analysis of this record which gives Atlanta one of the highest homicide rates in the entire country, reveals the following facts:

Total number of victims 128, of whom 106 were Negroes and 22 whites. Twenty-two of the Negro victims were women. Known killers 109, of whom 80 were colored and 29 white. Of the Negro killers 14 were women. Negroes killed by Negroes 76. Negroes killed by civilian whites 9. Negroes killed by police 11. Whites killed by Negroes 4. Whites killed by whites 9. Whites killed by police 1. Killers unidentified 19. These figures give the following percentages:

Negro victims, 83 per cent of total; white victims, 17 per cent.

Negro slayers, 73.4 per cent of

total; white slayers 26.6 per cent. Of the 96 Negro victims whose slayers were identified, 79 per cent were killed by Negroes, or 4 in every 5, 9.4 per cent by civilian whites, and 11.4 per cent by police. Commenting editorially on this record the Atlanta World Negro own race."

**PRISONER BLINDED
IN GOOS-HOW**

MEMPHIS, Tenn.—(ANP)—“It was just a ‘nigger’ fight,” Sheriff Bacon told a judge in the county court Tuesday of last week when Mackey Lee Forbes applied for aid from the county after having lost

for general also announced that the entire convict camp situation in Spalding county would be investigated, asserting that more than 100 witnesses had been summoned. Colonel Owens said he believed the investigation would last a week.

40 Randall was removed to the county jail, where he is being held without bond pending the action of the grand jury.

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**SOLICITOR ORDERS
GRAND JURY PROBE**
7-17-32

Special Session To Investigate Prison Conditions Set for Wednesday by Judge Searcy.

GRIFFIN, Ga., July 16.—A special jail, where he is being held without session of the Spalding county grand bond pending the action of the grand jury has been called for Wednesday jury. N. J. Baxter is foreman of the morning to investigate charges of murder filed by a coroner's jury against grand jury. P. H. Randall, superintendent of the In making public the fact that the county convict camps, as a result of grand jury had been called. Solicitor General Owen said every phase of convict camp conditions would be probed the death here Wednesday of James during the inquiry. T. Lassiter, a negro prisoner. "All kinds of charges concerning conditions in the Spalding county camps have been heard," Colonel Emmett Owen said. "The grand jury will go into the entire situation thoroughly also announced that the entire convict I have subpoenaed more than 40 witnesses and the inquiry will be full and complete." camp situation in Spalding county would be investigated, asserting that more than 40 witnesses had been summoned.

Colonel Owen said he believed the investigation would last a week or 10 days. The grand jury session call was issued by Judge Searcy.

The coroner's jury, which began its session Thursday, completed its work today, returning a verdict charging murder to the camp superintendent.

Negro Died Wednesday.
Lassiter died Wednesday on the way to the Griffin hospital. Sunstroke was then announced as the cause of death. Testimony at the inquest brought out that the negro had refused to work and had been beaten.

The testimony also showed that the negro had bruises about the head, and an autopsy was ordered. Dr. A. H. Huckaby and Dr. A. H. Frye were directed to conduct the autopsy and the inquest was adjourned until today in order for them to complete their examination.

Today the physicians reported that Lassiter came to his death as a result of a fractured skull and immediately the jury voted the murder charge against Randall.

One of the witnesses at the inquest, Fred Worthy, a negro prisoner, said Warden Randall told him not "to know anything about it" when he was called upon to testify. Other prisoners, however, said they had not been counseled what to say or what not to say at the inquest.

Verdict of Jury.
The jury's verdict follows:
"We the coroner's jury find that the convict, John Thomas Lassiter came to his death as the result of a severe beating at the hands of Captain Randall on July 13, 1932, and that in our opinion the same is murder.

"It is the further opinion of this grand jury that a special session of the grand jury should be called immediately to make a thorough investigation of the convict camp of Spalding county, especially as to treatment given convicts and medical attention furnished.

"It is ordered by the jury that the sheriff take charge of Captain Randall."

"Signed: R. L. Addleton, for mayor.
L. W. Traer, W. F. Maher, W. Bethune, J. B. Buntyn, D. A. Brind, W. E. Morrow, coroner."

Randall was removed to the county jail, where he is being held without bond pending the action of the grand jury.

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ATLANTA, GA.

CONSTITUTION

JUL 22 1932

OVERFLOWING JAILS.

According to the report of the Georgia department of public welfare, the commitments to county jails during 1934 recorded an increase of 7 per cent over 1930—the commitments representing a total of 19 out of every 1,000 of the population in the state.

Of the total of 55,763 commit-

ments, 1,204 were children, an increase of 49 per cent over the preceding year. Long drawn-out delays in court

A still more significant increase procedure, lack of proper vigilance is that in white prisoners. While on the part of peace officers and both white and negro groups many other reasons are ascribed for showed a gain, the increase in the disturbing and steady increase whites was 10 per cent against a 5 in crime. per cent growth in the negro population of our jails. Whether the cause be one, or all, of these reasons, the situation faced

Only a few years ago there were by the state is one of such gravity about two negroes in jail in the that we can with safety no longer state to one white person, but this ignore its threat to the peace and ratio has steadily changed until now prosperity of the state. the two groups are practically equal, ILLEGAL ARREST We never refrain from a with the white population exceeding ple to have proper respect for that of the negroes almost two to one. law and confidence in their

The comparative figures of arrests in 1930 and 1931 announced by the welfare department are as follows:

	1930	1931
White men	21,437	23,507
White women	1,534	1,603
White boys	294	436
White girls	68	143
Negro men	24,781	25,847
Negro women	3,503	3,606
Negro boys	384	502
Negro girls	61	129
Total white	23,333	23,683
Total negro	28,729	30,077
Total prisoners	52,062	53,760

With the population, as shown by the last census, standing practically still during the decade from 1920 to 1930, the constantly increasing annual arrests reveal a growing disrespect for law which constitutes one of the most serious problems now facing the state.

It is accentuated by the more rapid growth in crime among the whites than among the negroes. A

ing a rule, the offenses against the law committed by negroes are of a minor nature, while infractions by whites are generally more serious.

Jails in both city and rural counties, which formerly were seldom taxed to capacity, are now filled and overflowing. The court dockets are in most cases many months behind and the chain gangs of the state are two and three times as large as they were a decade or the ago.

The increase in crime would not be so alarming were it confined to the years of economic depression because then it could be attributed largely to idleness and necessity. But the fact that the increase during the past three years is little larger than those of preceding years

shows that it is caused by moral
and not economic changes.

Long drawn-out delays in court procedure, lack of proper vigilance on the part of peace officers and many other reasons are ascribed for the disturbing and steady increase in crime.

Whether the cause be one, or all, of these reasons, the situation faced by the state is one of such gravity that we can with safety no longer ignore its threat to the peace and prosperity of the state.

We never refrain from advising our people to have proper respect for officers of the law and confidence in their action. This is a difficult stand to take in the face of frequent occurrences tending to the contrary but notwithstanding same, we continue to emphasize this advice. *J. R. Brown*

As members of the police force there are many officers of a high type, considerate and helpful in the discharge of their duty. They enjoy the confidence and fullest respect of our people. It is regretted to say, however, that there is another class of these officers who are over officious, overbearing and downright discourteous in their action. They do much to cause the people to lose respect for, and confidence in the force. It is encouraging to note that this number is less than of former years. It would be well for them to understand that the brief authority they have should be used in a helpful way in the proper treatment of every class of citizens. In specifying, there are certain ones on traffic duty, who seem to take delight in speaking harshly to colored motorists, matters not of what standing, and for the least or suspected infringement. They should learn that even the humblest person is deserving of courteous treatment especially from those who have sworn to uphold the laws and protect the citizens. The same boasted courtesies that are being extended to visitors to the city, should be especially extended to those who live here.

Another phase of advantage taken of our people was presented in a charge against four members of the police department by attorney Thomas F. Walsh. Without due process of law these officers went to the home of a citizen early last Saturday morning while he was in bed, arrested him and took him to the barracks. He was then returned to his home hand-cuffed when his home was searched. He was held in custody forty-eight hours, even after one of the officers

stated that there was no evidence against him. In the police court Monday morning, he was dismissed. The charge against the police will be aired before the mayor, possibly next Saturday. It will be no fault of Mr. Walsh if there will not be a thorough investigation and the presentation of every necessary point. This investigation should be far reaching and the result helpful. The case of this offended colored man is only one in many that frequently occur. It is a common practice of police officers to act without a due process of law in dealing with inoffensive colored people. They deem them-

There should be a termination of these indiscriminate, and illegal arrests, and especially of searching the homes. The result will be more effective for these to be done in a spirit of fair play. Again, there seems to be a proneness even among some of the youngsters. This is apparent in the streets where they are frequently quarreling and ready for a fight. This contentiousness is re-

CUTTING AND SHOOTING

It is distressing to note the frequent cutting and shooting scrapes occurring each week in our midst, and instead of diminishing there seems to be an increase. Several of these have ended fatally, thus causing the loss of lives that might have meant much in the future. There must have been some cause for this belligerent spirit, and remedy should be vigorously applied. It is known that one of the underlying causes of the free use of the poisonous moonshine liquor so copiously indulged in by a certain

type of our people. Even a few drinks
his poisonous concoction is sufficient
cause the user to lose his best judgment
insanely. While in this condition the
drinking order, and thus affecting their later life action
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criminal tendency is seriously affect-
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all of us, and as our 'brothers' keepers' ignorant and inclined to do injury to each
to do something to other.

GEORGIA WARDEN HELD FOR MURDER IN NEGRO'S DEATH

Superintendent of Spalding Gang Accused by Coroner's Jury After Inquest Into Fatal Beating of J. H. Lassiter

SOLICITOR ORDERS
GRAND JURY PROBE

Special Session To Investigate Prison Conditions Set for Wednesday by Judge Searcy.

GRiffin, Ga., July 16.—A special session of the Spalding county grand jury has been called for Wednesday morning to investigate charges of murder filed by a coroner's jury against P. H. Randall, superintendent of the county convict camps, as a result of the death here Wednesday of James T. Lassiter, a negro prisoner.

In announcing the session, Colonel Emmett Owen, circuit solicitor general also announced that the entire convict camp situation in Spalding county would be investigated, asserting that more than 40 witnesses had been summoned.

Colonel Owen said he believed the investigation would last a week or 10 days. The grand jury session call was issued by Judge Searcy.

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"It is ordered by the jury that the sheriff take charge of Captain Randall."

Signed: R. L. Addleton, foreman; L. W. Traer, W. F. Maher, W. E. Bethune, J. B. Buntyn, D. A. Brindle, W. E. Morrow, coroner.

Randall was removed to the county jail, where he is being held without bond pending the action of the grand jury.

N. J. Baxter is foreman of the grand jury. In making public the fact that the grand jury had been called, Solicitor General Owen said every phase of convict camp conditions would be probed during the inquiry.

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ILLEGAL ARRESTS

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stated that there was no evidence against him. In the police court Monday morning, he was dismissed. The charge against the police will be aired before the mayor, possibly next Saturday. It will be no fault of Mr. Walsh if there will not be a thorough investigation and the presentation of every necessary point. This investigation should be far reaching and the result helpful. The case of this offended colored man is only one of many that frequently occur. It is a common practice of police officers to act without a due process of law in dealing with inoffensive colored people. They deem them-

selves the law, thereby taking advantage, and in many cases where they should be helpful. There should be a termination of these indiscriminate and illegal arrests, and especially of searching the homes. The result will be more effective for these to be done in an as unagonistic spirit as possible, ending in an as fault of some kind. Again, there seems to be a contentious proneness even among some of the untrained youngsters. This is apparent even on the streets where they are frequently seen quarreling and ready for a fight with older, this contentiousness is re- tained, thus affecting their later life action. This criminal tendency is seriously affecting all of us, and as our "brothers' keepers" we should be compelled to do something tow-

It is distressing to note the frequent cutting and shooting scrapes occurring each week in our midst, and instead of diminishing there seems to be an increase. Several of these have ended fatally, thus causing the loss of lives that might have been saved. There must be a remedy for this belligerent spirit, and it should be vigorously applied. It is known that one of the underlying causes of the free use of the moonshine is the liquor so copiously indulged in by a certain type of our people. Even a few drinks of his poisonous concoction is sufficient to cause the user to lose his best judgment and act insanely. While in this condition

and educating this class along paths less beligerent and inclined to do injury to each other.

Torture On Ga. Chaingangs Shown By Startling Novel

'Georgia Nigger' Tells a Graphic Story of Cruel Treatment Given Convicts

CONDITIONS COMPARED WITH CONGO HORRORS

Pathetic Scrawled Notes by Several Convicts Describe Cruel Treatment

New York, Oct. 4--Evidence that Georgia officially torture its chain gang convicts with devices similar to the Spanish Inquisition, is offered in the form of photographs and official documents in the appendix to John L. Spivak's novel, "Georgia Nigger" published Friday, Sept. 30th by Brewer, Warren and Putnam of New York.

The startling photographic record of inhuman punishment inflicted by this state, was personally made by the author during his investigations in 1930-31 of peonage and convict camps in Georgia. The documents are "a few of the many gathering dust in the State Capitol in Atlanta," says Spivak in his foreword to the appendix.

These official records reveal an amazing group of tortures, heart breaking scrawled pleas from convicts for "mercy as you would ask on the judgment day," death certificates showing "peculiar" deaths, such as tubercular convict who should have been in a hospital who died in camp, "heart failure," "Apoplexies," etc.

Among the photographs taken by Mr. Spivak and reproduced in the book, are (1) a convict hanging unconscious on the Georgia rack—a variation of the Spanish Inquisition torture of breaking a person on the wheel, (2) a convict with excruciating pain showing on his face, hanging in stocks such as the Puritans used 300 years ago and which historians say are no longer used anywhere in the civilized world (3) An unconscious boy of about 16 lying under the blazing tropic sun "hog tied," a form of punishment which horrified the civilized world when it was used during the Bel-

gian Congo atrocities. (4) Spikes used by the Russian Czars for convicts in Siberia. (5) A convict chained with an iron collar around his neck like an ancient Roman slave.

It is with reference to these shocking tortures that Mr. Spivak states in his foreword to the appendix, "Georgia does not stand alone as a state lost to fundamental justice and humanity. It was chosen because it is fairly representative of the Carolinas, Florida, Alabama, the whole farflung Black Belt, Nor is the whole south as pictured here. There are many counties where conditions are infinitely better, and too many counties where they are infinitely worse."

Official records of these tortures are reproduced in the book. Among these official records is one from Clark County showing 50 convicts punished by restricted movement in one month.

Another official record from Madison county shows 19 convicts punished in stocks in one month. Death certificates show that in Clarke county George Johnson died February 23, 1931 from T. B.; that Charlie Riggins died in Pulaski county four days after arriving in Camp; that George Neal died in Chatham county a few days after he had complained of "being swelled all over" and was unable to get medicine, to the Prison Commissioner.

Among the pathetic scrawled notes sent by the convicts to the Prison Commission reproduced in the book are one from Henry Aliur, McDuffia county:

thomson Ga

Ag 19 1931

Mr. E. L. Rainey

dear sir i am Ritting you as to

lect you hear i am not So well But i am asking you to come down hear at once ples Sir and dear Sir if you cant come down hear (Will you ples Sir transfer me to Calhane county, i am not geetting alone hear at all i gits have a nuff to Eat and dont geet no walter to drink hardly But i wish you will come i got From Five to Eaight and i want to try to make i So dont anser this Letter it From henry aliur (scrawl indistinct on last name) ples Sir dont anser it Bee case thay mint Kill me Bee for you geet hear

Your truly henry aliur (scrawl indistinct)

dont orders this letter dont write me Back

and one from Willie Frank Little McDuffia county which reads in part:

"and Being Beat on that ac count i am asking you please transfer me where i can Make my time i am Willing to make duble anywhere Else But here judge you can find my Reek ord aint give no trouble this ples i ever Ben in prison my Willie little this is the Meanest crime was committed here and i am treated Bad May the lord Reach your heart and come and transfer if good peoples like you dont take this in hands i dont know Watid Will Become of ns please come or send a doctor i reports it to the inspector it seem to Make it Worse the inspector told me to see the Doctor But dont no Doctor come here please have Mercy on me Any Where you place Me i Believe i Will fair Better than i am Beggin for Mercy just as We Would Be at the judg Ment day please Remember me thank you

Willie frank little

Meduffia chang gang
thomson Ga

Willie F. little

Half of "Georgia Nigger" shows how chain gang terrors are used by "the white man's law" as Spivak calls it, to keep both whites, but chiefly Negroes in the form of peonage. The story of share croppers and peons is vividly told.

In reference to conditions such as

are pictured in "Georgia Nigger" former Gov. Hugh M. Dorsey of Georgia said: "To me it seems that we stand indicted as a people before the world. If the conditions indicated by these charges should continue, both God and man would justly condemn Georgia more severely than man and God condemned Belgium and Leopold for the Congo atrocities."

SIGNIFICANT CRITICISM.

The criticism voiced by Judge Humphries, of Fulton Superior court, of the long delays in legal procedure in Georgia is significant of the crystallizing sentiment of the bar of the state that steps should be taken to speed up the meting out of justice.

In pronouncing sentence Tuesday on a man convicted of murder more than 20 years ago but who has escaped punishment for nearly 25 months through effort to the technicalities of law, Judge Humphries expressed himself as not surprised that "the public is directing criticism at the delay in the executions of the orders and findings of the trial courts."

As a result of the long-drawn-out appeals in this case the state has been put to the expense of guarding and feeding a prisoner for two years, the solicitor-general's office has had to watch the case and keep in touch with the witnesses, and the deliberations of the superior, appellate and supreme courts have been delayed.

This is far from being an isolated instance of the delays to be expected in legal procedure in Georgia. No man who loses a case, be it criminal or civil, needs to fear enforcement of the decision of the court for many months.

Especially in civil cases is such a condition a hardship to the public. Long delays in many instances practically nullify the benefits which would otherwise result from the findings of the courts.

The condition is one that is not local to Georgia. So serious has it

become throughout the country that for several years the American Bar Association has named committees for the purpose of evolving plans which would simplify and speed up court procedure in the courts of the nation. Unfortunately very little has been accomplished by these committees.

At its last convention the Georgia Bar Association took cognizance of these legal delays and appointed a committee of outstanding lawyers to map out suggestions to be made to the legislature for changes that will eliminate many of the delays that now precede final adjudication by the courts of the state.

It is to be hoped that this committee, taking heed from the lack of accomplishment of the similar committees of the national association, will evolve a sound and practical plan which will meet with the approval of the legislature.

Ex-Warden Freed In Convict's Death

10-14-32
GRIFFIN, GA., Oct. 13.—(P)—In one of the fastest cases on record in the Spalding County Superior Court, a former convict warden, P. H. Randall, was freed today of involuntary manslaughter charges in the death of T. Lassiter, a negro prisoner.

Brief testimony for the State by several convicts was followed by Randall's unsworn statement, the only evidence offered by the defense. Both State and defense dispensed with arguments, and the jury brought in a verdict of not guilty after deliberating three minutes.

Randall was indicted shortly after the negro's death last July. The indictment charged he killed the negro by "hitting, striking and beating him with his hands, fists, sticks and other weapons."

The convict witnesses for the State testified they had seen Randall strike Lassiter, but all said the negro later fell and struck his head.

In his unsworn statement, Randall denied responsibility for the death, attributing it to the fall.

ATLANTA, Ga., April 22.—“We demand complete economic, political and social equality for Negroes,” is one of the sentences in a booklet, for the distribution of which a grand jury in Fulton county is asking 20 years in ^{addition to} six working class organizers arrested here **CONVICTS INHUMANLY** two years ago. ^{In this state there are per}

The six organizers are two Race men, Henry Story and Herbert Newton; two white men, Joe Carr and M. H. Powers, and two white women, Mary Dalton and Ann Burlak. They were arrested here in 1930. Powers and Carr were arrested for distributing a leaflet with a picture of a member of the Race and a white boy clapping hands. The other four were seized at a meeting of Race and white workers gathered to protest against lynching. All were charged with "distributing insurrectionary literature" and "attempting to incite insurrection." The latter charge carries the death penalty.

As a result of mass protest and of a demurrer filed two weeks ago by attorneys for the International Labor Defense, challenging the constitutionality of this old slave statute, the Fulton county court was forced to throw out the charge of "inciting to insurrection."

The grand jury, however, drew up new charges against the six organizers, enumerating a large number of pamphlets and books the distribution of which, they claim, should put these workers behind the jail bars for 20 years. Point 7, under the indictment, quotes the demand for equality for the Race.

MACON, Ga., April 20.—(P)—John Brunson, negro, this afternoon was convicted by a jury in Bibb superior court on a charge of arson and sentenced to serve two years in the state penitentiary. The state charged that Brunson set fire to a residence last April. 4-21-30

Attorneys for Brunson will seek a new trial, it was said. Brunson claims that he is represented by R. D. Pease, while L. Jackson and J. D. Irwin are his attorneys.

The camps are badly in need of repairs, such as painting, etc., and their wheels are partially buried in the sand, which of course will soon cost the county a great amount of money for repairs which we feel could be avoided if properly mounted on wood.

The cooking department of this camp is terrible so far as sanitary conditions are concerned; in fact, it is largely represented by flies that congregate around the place that has been made so inviting to them. *Escherichia*

After thorough investigation in this matter, we as an entire body consisting of your grand jury are prone to say, that these conditions are nothing less than a disgrace to our county, and certainly reflect upon the intelligence of our good citizens.

However it is not the purpose of this body to unduly place this marked degree of negligence on our local, or any authority upon whom it does not belong. On the other hand it is a matter of grave importance for the sake of humanity.

Now if the correction of this most horrible condition in this camp rests upon local or state officials, we recommend that same be verified immediately.

the presentation, the Grand Jury submitted the condition, but failed to definitely place the blame, where it belongs.

...aint effort was made to absolve officials of the county, yet somebody is responsible for

t. Where this responsibility lies, the Grand Jury should know, or is in a position to ascertain, and arraign accordingly. The main reason why there is such flagrant dereliction of duty in these counties, can be traced to the failure of placing the blame where it rightfully belongs and the attitude of protecting officials who are solely responsible.

This presentation should arouse the entire county and cause an immediate change in the condition in the treatment of these convicts.

FORCED LIQUOR BOTTLE UPON HIM

Probation Term for Marcus Tolliver Revoked Despite Story
Blaming Hoke Bush for His Predicament; Version
"About Right," Sheriff Tells Court

Marcus Tolliver, Negro, was sentenced to three months in jail because he failed to appear in district court. It was his defense on a rule to show cause why his probation sentence should not be revoked.

Sheriff B. E. Houston, of Miller county, was in court. Hoke Bush, Colquitt's 26-year-old mayor, gave him a small amount of "Sheriff." Judge Deaver asked, "is that story probably true?" Sheriff Houston hesitated a moment, then he answered: "Yes sir, Sheriff Houston added that Tol-

liver was a much better Negro than reports indicated. The officer said he probably had been promised protection by white persons.

Tolliver said that Bush approached him in the rear of a Negro restaurant in Colquitt.

"He was 'bout half drunk," the defendant said.

The Negro told Judge Deaver that Mayor Bush asked him to "get rid of some whisky" for him, and forced him to take it.

Threats Reported

"I told him I was on probation and didn't want to come up here, but he made me do it. He asked me to get him a package of cigarettes and I thought I would slip off from him then, but another Negro come up and he went," Tolliver said.

The Negro said he was apprehended by Sheriff Houston with the whisky. In the state courts, he was sentenced to serve three months in the chain gang. Judge Deaver said he was taking that in consideration.

Tolliver said he was threatened "if I told the truth" in the state courts.

Over long distance telephone May or Bush Saturday afternoon denied any connection with the whisky transaction and dubbed it a "frame up." He would not reveal the names of those he thought "framed" him.

"I'd rather not discuss it," he said. "That Negro has changed his story four or five times. Before the grand jury here last week, he said the whisky belonged to him."

of "I had no connection with it
or whatever; know nothing about it."

The following pleas to charges of violating the national prohibition act were entered Saturday: Horace Stewart, Morgan Sapp, J. L. Pruett, Russell White, H. M. Hurbert and Joe Moore, two years each on probation; A. M. Harris, Morris Waller, James Worthy, James M. Patton, three months each; Otis Wood, Jack Cone, W. I. Nicholson, four months each; Green Williams, two months and Hanson Ward, six months.

Deputy United States Marshal Charles W. Moseley, Enoch Rainey and J. R. Fowler, bailiffs, carried

AS CHICKEN THIEVES

LAWRENCEVILLE, Ga., Sept. 22. Five men giving the names as Leroy Beck, Jack Henderson, Joe Wright, Buster Goodwin and Jack Osteen were arrested about daylight Thursday morning near Snellville, charged with chicken-stealing. They were placed in jail by Deputy Henry Hutchins and County Policeman Hugh Garner. The officers had arrested the thieves were in the neighborhood and were being chased by the surrounding citizens armed with shotguns. The men are said to be from Atlanta.

NEGRO IS GRANTED

LAST-MINUTE STAY

Telegraph

Russell Acts Ten Minutes Before Alleged Slayer Was Scheduled to Die

5-24-32

MILLEDGEVILLE, Ga., May 29.

(P)—Albert Jackson, Negro, sentenced to die for killing Mr. and Mrs. Green Hartley, aged Peach county, Georgia, couple, was granted a 60-day reprieve by Gov. Richard B. Russell, Jr., just ten minutes before he was to go to the electric chair.

The Negro made no comment when word of the governor's decision reached here. His head had already been shaved preparatory to the electrocution, and doctors and electricians were ready to carry out the sentence.

After learning of the governor's decision, Sheriff E. B. Fagan of Peach county left with the Negro for Fort Valley, where he will be held during the 60 days.

Charles H. Garrett, solicitor of the Macon circuit, expressed displeasure at the governor's decision, saying the execution should not have been delayed.

About 25 persons from Peach county were here for the execution. They included three relatives of the slain couple, V. R. Hartley, a nephew, L. R. Hartley, great nephew, and W. L. Greene, great nephew.

No reason was given here why Governor Russell granted the reprieve.

128 IN ATLANTA SLAIN IN YEAR

6-4-32

ATLANTA, Ga. — During 1931 eighty Negro killers in Atlanta slew 76 colored and four whites and constituted 73 per cent of the 109 killers identified.

According to the Commission on Interracial Co-operation, an analysis of this record, which gives Atlanta one of the highest homicide rates in the entire country, reveals the following facts:

Total number of victims, 128, of which 106 were colored and 22 white. Twenty-two of the colored victims were women. Known killers, 109, of whom 80 were colored and 29 white. Of the colored killers 14 were women.

Colored killed by colored, 76; colored killed by civilian whites, 9; colored killed by police, 11; whites by whites, 9; whites killed by police, 4; whites killed by colored, 4; whites killed by

Thursday, June 2, 1932

MORE WHITES THAN NEGROES ARE JAILED

STATISTICS IN COLQUIT REVEAL MARKED CHANGE DURING RECENT YEARS AS TO JAIL INMATES.

Thirty years ago negroes arrested in Colquitt county outnumbered white men arrested by more than two to one, says the Moultrie Observer. At this time, however, whites arrested outnumber the negroes accused by an even greater ratio. In 1901 the jail population was 101. Of these 122 were negro men, 13 women, 24 white men and two white women. In 1930 the figures read 227 white men, seven white women, 120 negro men, 23 negro women. It was after 1920 that the number of white prisoners began to outnumber the negro prisoners.

LOCAL LOAN FIRM IS SUED BY NEGRO

Macon Telegraph
Spivey Seeks \$5,000 Because He Was Imprisoned in Bail Trover Action *6/14/32*

Claud Spivey, Macon Negro, Saturday instituted legal action by which he seeks to recover \$5,000 from the Equitable Loan company as punitive damages for his arrest and confinement in jail last month because he was unable to furnish bond in a bail trover proceedings filed in municipal court.

The Negro said the bail trover action sought to recover property which he did not have, and because he could not produce it he was carried to jail. Five days later, he said in his petition for damages, he was released by Judge Hugh Chambers on a showing that he was not in possession of the property.

Shortly before the action for damages was filed in superior court, Spivey answered the bail trover action in municipal court contending that the bill of sale of which it was predicated was fraudulent; that the

debt to the loan company had been discharged in bankruptcy. Spivey did not deny having borrowed \$200 from the company, but did deny that he had given them a description of the household furniture contained in the bill of sale over his signature.

He said he had some of the furniture described; declare he never had owned some of it. He is represented by Charles Cork, of the law firm of Jones, Jones, Johnston and Russell.

The Negro said he told loan company officials he did not have the furniture and could not supply it before he was carried to jail.

The Negro boy who was arrested for stealing a piece of ice from the Atlantic Ice Co. shouldn't of done it, of course, because it behooves us each and every one to let other people's property alone, but at the same time we should remember that if the police should arrest everybody who would swipe a piece of ice now if they got a chance there wouldn't be any place large enough to put them in.

OUR OVERFLOWING JAILS.
According to the report of the Georgia department of public welfare, the commitments to county jails during 1931 recorded an increase of 7 per cent over 1930—ago. The commitments representing a total of 19 out of every 1,000 of the population in the state.

Of the total of 55,763 commitments, 1,204 were children, an increase of 49 per cent over the preceding year. But the fact that the increase is that in white prisoners. While both white and negro groups showed a gain, the increase in Long drawn-out delays in court whites was 10 per cent against a per cent growth in the negro population the part of peace officers and lation of our jails.

Only a few years ago there were about two negroes in jail in then crime. state to one white person, but this ratio has steadily changed until now of these reasons, the situation faced the two groups are practically equal by the state is one of such gravity with the white population exceeding that we can with safety no longer that of the negroes almost two to ignore its threat to the peace and one. prosperity of the state.

The comparative figures of arrests in 1930 and 1931 announced by the welfare department are as follows:

White men 21,437
White women 1,534
White boys 294
White girls 68
Negro men 24,781
Negro women 5,503
Negro boys 384
Negro girls 61

Total white 23,333
Total negro 28,729
Total prisoners 52,062

1930 21,437
1931 23,333
1930 1,534
1931 1,607
1930 294
1931 437
1930 68
1931 147
1930 24,781
1931 26,815
1930 5,503
1931 5,607
1930 384
1931 502
1930 61
1931 125

With the population, as shown by the last census, standing practically still during the decade from 1920 to 1930, the constantly increasing annual arrests reveal a growing dis-

respect for law which constitutes after he was brought into the death chamber, and it was to the prosecutor that he made his denial of the crime.

Jackson also absolved two other negroes now held in Peach county, Son Strother and Armsted Lawson. Garrett said that previously Jackson had confessed and implicated the other two, naming Strother as the instigator.

About 20 men from Peach county came here for the execution. Among them were W. T. Greene, nephew of the slain man, and W. F. Champion and V. R. Hartley, great nephews, who were among the witnesses in the death chamber.

Former Atlanta Clerk Dies In Prison Camp

ATLANTA, Oct. 27.—(P)—Water C. Taylor, former city clerk who was sentenced to more than four years for bribery in the investigation of city graft, died tonight at 11 o'clock after an attack of paralysis.

Taylor was indicted on 25 counts of bribery but defeated two of them. Taylor maintained his innocence and told a jury conviction would "mean my death—the death of an innocent man." He dropped his court fight and began serving his sentence at the river camp of Fulton County last February.

Tuesday Taylor was stricken and had been in a "diabetic coma" at a hospital since. In its early editions tonight The Constitution had said Taylor would have been given a full pardon had he lived through tomorrow.

Taylor for many years was an outstanding newspaper writer and political figure in Atlanta. He was city clerk from 1911 until he resigned during the graft investigation of 1930.

NEGRO ELECTROCUTED AT STATE PRISON FARM

10-8-32

MILLEDGEVILLE, Ga., Oct. 7.—(P)—Albert Jackson, negro, was electrocuted at the state prison farm here Friday for the murder of an aged Peach county couple, Mr. and Mrs. Green Hartley. After being strapped in the chair he denied any connection with the crime. He was placed in the electric chair at 10:24 a. m. (eastern standard time) and was pronounced dead at 10:31 after administration of three shocks. Solicitor-General Charles Garrett, of Bibb county, interviewed the negro

Crime - 1932

Negro Faces Trial for Murder Committed Seventeen Years Ago

VALDOSTA, Ga., Jan. 6.—Ben Phillips, negro, accused of murder, and for 17 years a fugitive from Lowndes county justice, has been brought to Valdosta from Savannah and is in jail awaiting trial for alleged murder of his wife.

According to court records Phillips and his wife were separated, the woman residing on the state farm, and in 1914 it is charged in the indictment that Phillips went to the woman's house and cut her throat. Although the woman's head was almost severed from her body, she is said to have crawled some distance from the house to a public road where she fell and expired.

A small son of the couple testified the next morning that his father, Ben Phillips, killed his mother, this being the only direct evidence. In the meantime Phillips is reported to have fled to Florida. Some time later the man was arrested in St. Petersburg, Fla., and a deputy sheriff went after the prisoner. While securely handcuffed Phillips was reported to have jumped through a train window and made good his escape. After that nothing was heard of the whereabouts of Phillips until railroad police here, who were once interested in the case, learned that Phillips was working in Savannah. His arrest was requested and a deputy sheriff has just returned with the fugitive, who did not attempt any train jumping stunt this time.

Phillips will be tried at the May term of the superior court on the ancient indictment.

MACON, GA.
TELEGRAPH

JAN 4 1932

FROM DR. MITCHELL

To the Editor of The Telegraph:

I am very, very grateful to my friends for what they have done for me in all of these years. I am sorry that this forgery trouble has come eleven years for a crime that has never been up. These convictions, eleven years and near two months ago, were the laying of the foundation for the murder trial which they started had faith and confidence all of these years. I three days after I was tried here. The Standard Life Insurance company, of Atlanta, a Negro insurance company, sent its secretary down here to swear that I used to be its medical examiner here, but was not at that time.

He swore that a Negro doctor by the name of G. W. Gilmer was their examiner. Gilmer came to Montezuma from Fitzgerald where he was a failure. I moved out one of my renters and let Gilmer have a house. I also stood for him to get something to go in his house as he moved nothing but a trunk, a wife and a mother-in-law. I gave Gilmer half interest in my practice. I employed his wife as a druggist in my drug store at a salary of \$75 per month.

After four or five months I found she was stealing so much and filling prescriptions for him of which no record was being made and he was doing the same on his calls. I fired his

death sentence for the third time for the murder of Tobe Roberts, his brother-in-law. Johnson claimed self-defense, saying that he shot Roberts last February following threats made by Roberts when he interfered in a quarrel in the family of his brother-in-law. He was saved once by the filing of an appeal and once by a respite from the governor.

Eddie Marsh, negro boy about 17 years of age, was sentenced for the killing of Walter Campbell, pecan grower, in 1930. The principal evidence against him was officers' charges—they found him in possession of Campbell's automobile and other property. He had been condemned once before.

Each reiterated his denials of guilt

SEEK WHITE MAN

IN ADAIR MURDER

With Two Negroes in Jail, Alleged "Instigator" Now Hunted.

Search for a white man, believed by detectives to have instigated the highway robbery Monday of Frank Adair, rent collector for the Rankin-Whitten Realty Company, during which Adair was fatally wounded by one of two negroes, was under way Tuesday night, while two negro suspects were held on suspicion.

A number of negro women who said they witnessed the holdup and shooting of Adair by two negro gunmen, Tuesday visited police headquarters and viewed the two suspects. Detectives Tuesday night would not say whether identification of either Tom Rush or Eugene Oliver, the suspects, had been made.

Witnesses to the murder told police the negroes ran to an automobile driven by a white man and made their getaway in that car.

Funeral services of Adair Tuesday awaited arrival from Miami of one of his sons, Elkin G. Adair. In addition, he is survived by another son, Clark Adair; his mother, Mrs. Mary A. Adair; a brother, J. E. Adair, of Chicago, and two sisters, Miss Eva Adair and Mrs. W. H. Taylor, of Atlanta.

NEGRO IS GIVEN LIFE

IN WHITE MAN'S DEATH

DOUGLAS, Ga., Jan. 20.—A jury in Coffee county superior court at noon Wednesday found Alonzo Robertson, negro, guilty of murdering Henry Nettles, a white man, in Douglas on last August 19 while trying to rob him of money received from sales of tobacco. The jury recommended mercy and Judge W. R. Smith, of the Alapaha circuit, presiding for Judge Dickerson, sentenced the negro to life imprisonment. The jury received the case Tuesday night at 9:30 o'clock.

The negro contended in his statement that there was a white man, named Huggins, and two other negroes beside himself who planned the robbery and that one of the other negroes actually did the cutting which

VICTIM'S HUSBAND CAPTURES NEGRO, RETRIEVES PURSE

After shooting twice at close range and snapping his pistol four times in the face of the husband of his victim, an armed negro purse-snatcher was captured late Monday night by J. E. Lambert and his brother, Jim Lambert, of 540 Courtland street, N. E., and held in city jail on charges of highway robbery and shooting at another.

Mrs. Lambert was returning home from her work. Recently she had been the victim of negro snatch thieves, and Lambert Monday night accompanied by his brother walked down the street to meet her. They saw the figure of a man speed up behind Mrs. Lambert, wrest her pocketbook from her arm and dart toward them.

Lambert grappled with the man as he came abreast of them, and the negro drew a revolver. Lambert pulled out a pocket knife, and the negro fired two shots at him, snapping the gun ineffectually four more times. Lambert meantime had picked up a section of iron pipe and he struck the negro down while his brother was defending himself with his knife.

At police station the negro said his name was George Lowe, 23.

MACON, GA.
NEWS

JAN 27 1932

The Prison Farm

ON this page is printed a letter from Erwin Sibley, one of the leading attorneys of Milledgeville, in which he rebukes this newspaper for having criticized the prison farm authorities in the matter of the escape of Leland Harvey and Jack Martin. Since Mr. Sibley wrote his letter, Aubrey Smith, Harvey's partner in crime, has escaped. By the time this appears in print, the remainder of the prison population may have emigrated.

Mr. Sibley stresses the kindness and the good intentions of the prison superintendent. The qualities are conceded. Judge Dunaway is known to be an amiable man and one who is respected by many of his wards for his justice and consideration.

The letter also emphasizes the difficulties of the position. The state has been niggardly in providing financial support for the prison. It is true that the plant is notoriously insecure. Leo Frank was taken out of it by a mob and lynched. In recent years, prisoners have been removed from the state prison and brought to Macon—for safe keeping! A county jail is stronger than the state penitentiary.

"Until adequate means are furnished by our great state to take care of its prisoners and to protect society from them," continues Mr. Sibley, "the reflection is on the state as a whole and not on the official conduct of an earnest and sincere and honest public servant

Negro Offers Body to Pay His Lawyer

FORT VALLEY, Ga., Feb. 13.—A pathetic case of gratitude has come to light here at the Peach county jail. A young Negro awaits execution for murder—a crime of which some think he is not guilty. This week while his lawyer was visiting him in his cell the Negro asked if the lawyer thought there was any chance of a new trial or escape from his death sentence. The lawyer replied doubtfully and then the prisoner said, "Well boss if I ever got out of jail I want to work for you the rest of my life—and if I am electrocuted is there not some place you can sell my body? I want you to have the money it brings!"

15-YEAR-OLD NEGRO

SENTENCED TO CHAIR

ALBANY, Ga., Jan. 21.—(P)—Two

death sentences, both to be executed February 9, were pronounced by Judge B. C. Gardner in superior court today.

Major (Nick) Johnson heard the

in performing the duties of managing and confined in the tightest cell on the farm. That supervising the state farm."

That is begging the question. The escape of Harvey and Martin cannot be condoned in that way. These men were supposed to be strictly confined to prevent repetition of their frequent escapes. Special rules forbidding outside communication were imposed on them. After their escape, it developed that these rules had been allowed to relax. They were so far relaxed that a hack-saw and a crow-bar were smuggled into the death house where they were confined. Rules requiring frequent inspection of their cells were so far ignored that the prisoners were able to saw and burrow for several days, unhampered by prying guards.

Is the state of Georgia to be blamed for that kind of official neglect?

And now Aubrey Smith has gone to join Harvey in the great open spaces. Smith was known to be closely allied with Harvey, and they had cooperated in previous jail breaks. It does not seem to have occurred to anyone at the state farm that Smith might again be tempted to leave the prison. He was a sick man and it seems to have been taken for granted that his illness would prevent his running away. Somebody, however, handed him a saw, too, and soon he was on his way.

It is rather difficult to see how the inadequate appropriation made by the state for prison maintenance can be blamed for that piece of stupidity.

If these were isolated instances of official incompetence at the state farm, they might be excused. They are not.

Take Jack Martin's last previous escape from the place. He held up a guard with a wooden gun, walked away and loitered on the highway until he was able to thumb a ride. That was ludicrous enough, but it doesn't compare, for grotesque comedy, with the instance of a guard eloping with a female prisoner. The records of the state farm are dotted with such comic interludes.

That sort of thing can't be explained away by citing the social graces of the responsible head. It is granted that the flimsy plant and the shortage of funds handicap the prison authorities in their work of herding the felons. Instead of making them more careful in watching their prisoners, however, these handicaps seem to have imbued the prison staff with a spirit of indifference and lassitude.

Judge Dunaway's defender complains that he is "subject to attack on the one side of being hard and cruel" and, on the other, "of being too soft and easy." It is true. Oddly enough, there seems to be some basis for both accusations. When Leland Harvey was brought back from his last previous escape, he was loaded down with shackles, even when closely

excessive severity was followed by a period of gross negligence which culminated in his escape a few days ago.

The job of a prison superintendent, under the best of conditions, is a difficult one and this newspaper would not make it more irksome by careless criticism. When, however, he permits conditions to reach the comic stage which they have reached at Milledgeville, it is impossible to avoid the conviction that a change of administration is indicated.

Two White Men Must Stand Trial

For Death of Negro Convict Left

CHAINED TO A POST
And Exposed to Broiling
Sun of Summer

Atlanta, Feb. 17—J. Fred Killian and M. A. Wells, highway department employees, must stand trial in Whitfield superior court, Dalton, on an indictment charging involuntary manslaughter in the death of a Negro convict, the state court of appeals ruled today.

The two men, records in the case show, were working near the convict camp last June 30. They were not in charge of the convicts. The Negro, Thomas Farmer, working on the roads, became ill when the temperature rose to 100 degrees. The indictments charge the men handcuffed the Negro and chained him to a pole by the roadside where he died thirty minutes later of sunstroke. They were indicted on three counts.

Wells demurred to the indictment, but the Whitfield superior court judge ruled out the demurrer. Wells appeals to the higher court, which today upheld the Whitfield judge

NEGRO PLEADS GUILTY

SETS 1-MONTH TERM

Andrew Jackson, a negro, with the alias of Joe Thomas, who was arrested during a still raid in Jasper county, during which Rich Shierling was killed and W. A. Carroll, a Decatur policeman, subsequently was injured for the shooting, entered a plea of guilty in federal district court. The negro pleaded guilty to charges of manufacturing and possessing whisky and possessing equipment for distilling liquor. Judge E. Marvin Underwood gave him a sentence of four months to date from October 31.

PRISON SENTENCE OF NEGRO IS CUT

Russell Takes Six Months Off Term of Dr. W. C. Mitchell, Formerly of Macon

ATLANTA, March 3 (AP)—Governor Russell Thursday cut six months off the sentence of Dr. W. C. Mitchell, former Macon Negro physician, who is serving a term for forgery after having been paroled on a life service for murder. In the forgery case he was sentenced to serve 12 months with an option of six months more or a fine of \$1,000.

The governor reduced the term to the original 11 months. The prison commission had recommended parole for the whole period.

Ten years ago Dr. Mitchell was convicted of slaying a Negro boy employed by him. The forgery conviction was in connection with a signature on a paper connected with collection of insurance on the boy's life.

In December, 1931, Governor Russell granted a parole on the life sentence, upon representations that Mitchell had been a model prisoner and had rendered valuable medical service at the state farm.

After the clemency order had been issued the forgery conviction was brought up. No record of it appeared at the time of the murder clemency case. Dr. Mitchell was re-arrested upon his release from the

BALTIMORE, MD.
EVE. SUN

MAR 17 1932 Liquor And The Negro

Mayor Key, stormy petrel of Atlanta politics, won a victory in his city this week as a wet and an advocate of a balanced budget. His platform indicates that he is a realist, and his comment on his sweeping triumph is more evidence to the same effect; for in the course of that comment he demolished, with a dozen words, one of the favorite arguments of

Southern drys. Said Mr. Key:

You say we must have prohibition in the South to keep whisky away from the Negroes. I tell you we have put our liquor business in the hands of the Negroes. They are the very ones who handle it for us.

The truth of this observation is apparent to anyone who has traveled in the South. The bellhops in most Southern hotels are Negroes. The janitors in Southern office buildings are Negroes. The waiters in Southern clubs are Negroes. These three classes of Negro workers handle a large part of the retail trade.

Apparently most of the distilleries are owned and operated by white men, but there is hardly a raid on a blockade still that doesn't entangle at least one Negro in the dragnet. Usually he is a laborer, perhaps a stoker, or a driver, more rarely the actual operator of the still.

Testimony seems to be pretty nearly unanimous that the wholesale bootlegging trade in the South is in the hands of white men, but the hip-pocket bootlegger, who operates up the alleys, is usually a Negro. The white man is the manufacturer and wholesaler, but the Negro plays an important part in retail distribution, which is the post of greatest danger and perhaps of greatest demoralization.

The Negro, in short, shares the experience of every other class. Volsteadism has not separated him from liquor, but has made his contact with it much more perilous and much more degrading.

Crime - 1932

Georgia

The Burns Case

The Telegraph refuses to join Governor Russell in getting greatly excited over the refusal of Governor Harry Moore of New Jersey, to return Robert Elliot Burns to this state to finish the remainder of the chain gang sentence from which he escaped.

It is true that Governor Moore resorted to an unusual procedure to deny the requisition of the governor of Georgia, since requisitions are honored as a matter of course except in unusual cases; it is true, no doubt, that he responded to the sentiment of Northern New Jersey, which had been whipped up in Burns' behalf. It is also true that he violated the comity and amity between states.

In spite of that, we find ourselves wholly unmoved by indignation. Upon the other hand, we are glad that Burns is not to come back to Georgia. That attitude is dictated by no great illusions about him. He is a cheap crook who was convicted of crime, sentenced to the gang and escaped by walking off when he had been made a trusty. Undoubtedly affected mentally by his war service, he has sinks in his character which his mother and his brother recognize. He has a flair of exploiting his misfortune and virtually no restraint upon his truth valve.

This newspaper has been fighting the chain gang system in Georgia for years. When Burns' first articles came out in magazines, we sent John Hammond, a trained investigator, to ascertain the truth. Mr. Hammond found much to condemn in the chain gangs, but he found that insofar as Burns was concerned, he was one of the most accomplished liars that ever did Georgia the honor of crossing her boundaries. Burns alleged, for instance, that the \$300 he made payable to the State of Georgia for the expense of extraditing him from Chicago, was not on the prison commission or Campbell county records. Mr. Hammond found the money had gone through regular channels. He found that Burns himself had not been subjected to any tortures he described in the magazine articles or in the book that has since appeared. Undoubtedly Burns was deluded into believing that if he returned to Georgia voluntarily, he would be paroled within 90 days and it was perhaps upon that point that Governor Moore refused extradition, but far from resenting the re-

fusal to return him to the state, we welcome it as good riddance of bad rubbish. We have got more crooks on our hands now than we can well handle and there is no reason why we should desire to see Burns further punished particularly since we do believe him the victim of war service which has, at least, partially deranged his faculties. For him we have nothing but sympathy and nothing save the hope that he may make good, as his minister-brother believes he will.

Because the extradition has been decided against the state, there is no justification for our falling into a smug indignation as expressed by Governor Russell because the "fair name of Georgia" has been called into question. Nor is there any reason for our feeling with John I. Kelley, the assistant attorney general who sought to return Burns, that if there were horrible conditions on the chain gang of Georgia, "the good people of the state would rise up in their wrath and wipe them out". The answer to that is that the good people haven't risen up in their wrath so far.

Although Burns was not the victim of any brutal treatment in the chain gangs of the state nobody who has any sense of realism would deny that brutality does exist. It is impossible to give men power over other men and equip them with instruments of torture and punishment and guns and shackles without expecting them to employ them brutally. Human nature itself is too weak to resist a system that is essentially cruel and human nature is put to the severest test when we select as guards men who conceive their duty to be merely to hold in restraint and punish other men. There is no excuse in any civilized state for such instruments as stocks. There is no excuse in any civilized state for one man lashing another in the name of the law. There is no justification in any state, civilized or savage, for the employment of the sweat box.

The chain gang is cruel in itself. It is merely punitive. It offers no hope of regeneration. It is merely the expression of the state's will to punish. The Burns case has served only to bring that system into sharp relief again. We ought not to care so much what has happened in the Burns case as we do about what we are to do with our penal system.

PROTESTORS

The American Civil Liberties Union has sent a telegram. Not that it is unusual for the American Civil Liberties Union to send telegrams. As a matter of fact the union sends many telegrams. But this time the group sent a message to Robert Burns, the "fugitive from a chain gang."

Those who know much about the organization expected its executive secretary to act much sooner than he did. But a few hours does not make much difference, one supposes, not in such cases as the American Civil Liberties Union seeks to enter any way.

The union was organized to aid in guaranteeing civil liberties for citizens of the United States, as one would guess from its name. And no one can deny that the protection of civil liberties is a Good Cause. Nobody does deny it.

The Burns case is one of a convicted robber who escaped from a Georgia prison camp.

The Civil Liberties Union seeks to aid in defending the fugitive's civil rights.

Perhaps by this time several other organized protest groups have sent telegrams to Mr. Burns, offering defense.

The Organization for the Freedom of Political Prisoners should offer aid. The National Labor Defense League should offer aid. The National Labor Defense League should offer help. Perhaps they will. They usually follow the Civil Liberties Union.

Of course Mr. Burns is neither a political prisoner nor a laborer, but for that matter neither are the Scottsboro men political prisoners or workers. And the organizations offered aid to them.

The Woman's National Patriot Corporation perhaps will not plead for the fugitive's release. The Patriots are not so much concerned with civil rights as they are with protecting America from the Red Menace. And then, too, the good ladies could not take the same side with such violently liberal groups that usually seek publicity from cases similar to this one in Georgia.

The Patriots prefer to protest against wide thinking while the members of the other groups would rather make noise about "suppressed liberties."

Roughly speaking, organized protestors

of the ultra-liberal and extremely reactionary type can be divided into three parts, professionals, volunteers and fatheads.

The professionals are paid. The volunteers do the paying, and think they are supporting a Good Cause. The fatheads do the squawking, some paying, and do no thinking for no cause at all.

Crime-1932

HAWAII PURGES ITSELF.

The report of Governor Lawrence M. Judd, of Hawaii, that there is now "an amazing absence of any crime problem of major proportions" in the territory, is gratifying.

Crime was practically unknown in the Hawaiian islands when they were annexed by the United States. The growth of conditions which resulted in the outbreak of law violations last year was, therefore, a reflection not only upon Hawaii but on this country.

The coming of American control to Hawaii upset many of the ideals and customs of this peaceful and law-abiding people. It was only natural that incident to the development of the islands, and the infiltration of thousands of representatives of alien races, there should have come into existence back eddies of humanity in which crime was incubated and hatched and gradually grew until it asserted a sinister influence on law enforcement.

The outbreaks of last year brought the good people of Hawaii to a realization of what was going on, and Governor Judd's report shows that the steps taken were as efficient as they were prompt.

In view of the law observance record indicated in this report, it is not probable that congress will enact the legislation now before it calling for a commission government for the territory. Certainly it would not be fair to take the right of local government away from the islands after they have demonstrated that they are capable of governing themselves in a way which reflects credit upon both Hawaii and the United States.

Crime-1932

JUDGE LOSES HIGH POST AS RACE OBJECTS

Cite Severe Ruling of
Illinois Jurist

NEW YORK, Jan. 29.—A savagely severe sentence of death imposed upon a Race man who had thrown himself upon the mercy of the court cost Judge James Baldwin of Decatur, Ill., the nomination to the federal judgeship for the southern Illinois district, it was made public by the National Association for the Advancement of Colored People.

Judge Charles G. Briggie has just been appointed to the post by President Hoover.

The association at once began quiet and intensive work on the nomination when it was revealed that Judge Baldwin had been recommended for the federal judgeship and wired the department of justice requesting that the appointment be held up pending completion of an investigation into Judge Baldwin's record towards our people.

Baldwin Is Prejudiced

This inquiry revealed that "a number of Colored citizens of Decatur say that they would as soon trust their legal rights to a court in Georgia as to this one," and that the judge had a conspicuous record of reversals of his decisions by higher courts.

A letter from Marie Gray Baker, secretary of the Decatur branch N. A. A. C. P. to the national office expresses "thanks for the splendid work you did in preventing the appointment of Judge James Baldwin to the federal court," and expresses the hope that the Colored people can elect another judge in his place when his term as circuit judge expires in 1933.

Surprises Decatur

The Decatur Herald, local white daily, commenting on the failure of Judge Baldwin to be appointed, says in part: "The appointment of Judge Briggie came as a surprise to many persons who had been in close touch with the situation. . . . Many Republican leaders in the county had felt that Judge Baldwin would receive the appointment because he is well favored with political connections."

FILES CHARGES AGAINST 2 POLICE

Who Brutally Beat a Chicago Colored Man

Chicago, Jan. 8.—The legal redress committee of the Chicago branch of National Association for the Advancement of Colored People, has filed charges and will file damage suits against two police officers who brutally beat and arrested a local colored man, Ernest T. Draine, against whom all charges were dismissed in court when he was rearrested.

Theophilus M. Mann, secretary of the N. A. A. C. P. legal redress committee, reports that one of the police officers struck Draine over the forehead with the butt end of his pistol inflicting a deep cut and the other white officer kicked Draine when he staggered into his place of business.

Judge Francis Borrelli, before whom Draine was brought, called the "assault by the officers with a revolver entirely unwarranted and unnecessary."

The action by the N. A. A. C. P. legal redress committee is part of a campaign against police lawlessness and brutality. Among the members of this committee are nationally known attorneys, among them Earl B. Pickerson, chairman; William E. King, member of the Illinois legislature; Eberidge Bancroft Pierce, president executive board, Chicago Urban League; Arthur Fisher, president Chicago Civil Liberties League; Edward H. Morris, member N. A. A. C. P. National Legal Committee; Herman E. Moore, former president Cook County Bar Association; Wendell E. Green, prominent criminal lawyer, and others.

MURDER RATE OF U. S. CAPITAL NOW

TOPS CHICAGO'S

This City Drops to 45th
Place in Country.

Chicago has sunk to forty-fifth position among the cities of the United States rated according to the percentage of murders per 100,000 population. Fewer murders are now committed in Chicago in proportion to its population than in Washington, D. C., seat of the national government.

In 1930 Chicago ranked thirty-ninth in the listing. A decrease in the murder rate sent it six places lower in the list. And the year of 1932 promises to send Chicago even nearer the bottom of the list if the first five months of the year are taken as an indication, Col. Henry Barrett Chamberlin, director of the crime commission revealed yesterday.

130 Murders So Far.

Other large cities in addition to Washington, D. C., which Chicago trails in the rate of murder, are Cincinnati, Kansas City, Miami, New Orleans, Louisville, Memphis, and Houston.

Only 130 murders have been committed in Cook county thus far in 1932, the figures compiled by the crime commission revealed. A table showing murders committed during similar periods in previous years follows:

Year.	Murders.	Year.	Murders.
1925.....	171	1929.....	147
1926.....	155	1930.....	167
1927.....	163	1931.....	146
1928.....	161	1932.....	130

In the month of May only 11 murders were committed in Cook county, an extraordinarily low total, Col. Chamberlin pointed out. The usual average in the county for many years has been at least one murder a day.

The efficacy of capital punishment as a deterrent to murders was proved by Col. Chamberlin in statistics he cited. Back in 1919, he said, murder was a frequent occurrence in Chicago. The crime commission started a drive against murder and succeeded in having four Criminal court judges appointed to hear murder cases alone.

Hangings Stop Killings.

As a result there were eight hangings in 1920 and 10 hangings in 1921. Those 18 hangings sent the murder total to record lows for all time, slashing the number in those two years to one-third the usual total.

There was only one hanging in 1922 and one hanging in 1923, with the result that the total of murders immediately rose to the former average.

In the last four years, the number of executions for murder has been slightly above the average.



HENRY BARRETT
CHAMBERLIN.

VIGILANTES ROUT UNIFORMED GANG OF BANK ROBBERS

Chicago Tribune
Indiana Cracksmen Flee

Rifle Barrage.
2-7-32

Waveland, Ind., Feb. 6.—[Special.]
—A white uniformed, well drilled bank robbing gang was routed from the State bank of Waveland early today by the snipping rifle fire of vigilantes.

During the fight which continued for more than an hour the robbers set off nine charges of nitroglycerin wrecking the interior of the bank. But they were unsuccessful in their attempt to obtain the money in the vault.

Hiding behind ash barrels, building corners and other informal barricades the vigilantes fired fifty-seven shots from 30.30 rifles. The invaders finally fled, still shielded by darkness. Through the sound of cracking rifle shots came the exclamation from one robber in the blast torn bank "It's getting too hot. Let's go."

Bandits Flee Battle.

"Come on," replied a companion. "Let's keep on fighting." But a few minutes later the bandits, their white trousers only apparent, ran from the rear of the bank toward two automobiles parked a quarter of a mile away.

There were no casualties among the vigilantes, but it was believed some of the bandits may have been wounded.

About 2:20 a. m. all telephone lines out of the village, which is in Montgomery county, southwest of Crawfordsville, went out of order, snipped by the gang as it came to the town. Miss Ruth Morgan, telephone operator on duty, sensing what was happening, called T. S. Banta, assistant cashier of the bank and head of the vigilantes. Others were summoned and assembled downtown.

As the bandits set off a second charge of explosive the vigilantes fired directly into the bank, which is on the Main street midway in a block. Nine charges were set off by the robbers while their outposts, concealed near the front and rear of the bank,

returned the rifle fire of the townsmen. The discharges of nitroglycerin shattered parts of the vault and riddled the interior of the bank with pieces of steel.

The Waveland raid was the third similar bank robbery in Indiana in five months. October 13 five men took complete charge of the State bank at Lizton and escaped with \$4,300. None has been captured. On Dec. 16 ten bandits robbed the Roachdale bank, Roachdale, and escaped under heavy gunfire with \$3,500. None was captured.

Crime-1932

Ex-Prisoner Sues For "Extra Work" Done While In Pen

Cowan
Pittsburgh, Pa

3-19-32

KANSAS CITY, Kans., Mar. 17 — (By ANP) — One of the strangest suits ever to come to the knowledge of the courts of this state was filed here Friday by M. L. Kaufman ex-convict, whose petition demands financial remuneration in the sum of \$473.40, which he alleges is due him for "extra work" while an inmate of the Kansas State penitentiary. Kaufman claims the money is due him for the coal he mined and calls it "overdue coal"—the same being a quantity in excess of that specified for him to mine while incarcerated at Lansing. The suit was filed against E. C. Landis, chief clerk of the Kansas penitentiary and the Kansas state board of administration. There is widespread interest being manifested in the strange case, and speculation is rife as to the final disposition that will be made of it when it comes to trial.

APR 5 1932
A SHOCKING CASE.

Attorneys for the Commonwealth should be able to inject vigor into the prosecution of the man who killed a 13-months-old Negro baby. The man accused of the crime has not yet had his say, and of course under the American system of jurisprudence he is presumed to be innocent until proven guilty.

The slaying may have been an accident. If it was, somebody was exceedingly careless with a wood chisel. The instrument was driven into the child's brain with sufficient force to fracture the skull at the base, and to tear up the brain tissue. The slaying is one of the most brutal Paducah has witnessed in years. No one with a spark of humanity could help feeling pity for a helpless babe stabbed to death.

The coroner, the police and the county attorney dutifully investigated this case with all their energy. It is a case that calls for thorough probing. Regardless of the guilt or innocence of the man held in jail, the violent death of a child under such circumstances is shocking, and public safety demands that something be done. The fact that the baby happened to have been born of a colored woman does not alter things.

NEGRO LOSES FIGHT AGAINST EXECUTION

EDDYVILLE, Ky., April 29.—(P)

The grimmest drama ever enacted within the walls of Western State penitentiary here marked the execution early today of three negroes in the electric chair. Only after a guard had been stabbed and tear gas bombs had been brought into use to subdue the third of the trio were the executions completed.

After resisting for an hour and a half efforts of officers to lead him from his cell in death row to the small room in which the electric chair is located, Walter Holmes, 31, of Chicago, surrendered and followed his two companions in death.

The other two men, A. B. Cooksey, 23, of Madisonville, Ky., and Charles Rodgers, 23, of Chicago, went to their deaths peacefully.

When prison officers then went to Holmes' cell, Holmes threw a bucket of water on them. The water previously had been put in the cell for drinking purposes.

Holmes then brandished an iron pipe, broken from a water connection, and defied the guards to take him. After efforts to conciliate him proved of no avail, Warden Tom

Logan ordered the officers to use tear gas bombs to dislodge the prisoner.

Three tear gas bombs were hurled into Holmes' cell before he capitulated. As he walked out into the death row corridor he smiled faintly and puffed at a cigaret.

Yesterday Holmes slightly wounded a guard with an improvised knife.

NEGRO SLAYER DIES IN PRISON AT RALEIGH

RALEIGH, N. C., April 29.—(P)
Dudley Moore, 19, negro, slayer of Mrs. Jacob G. Berrier, 59, wife of a Davidson county farmer, was electrocuted at state's prison here today.

Moore admitted the slaying and said he killed Mrs. Berrier when she surprised him in the act of robbing her house.

SOUTH CAROLINA NEGRO DIES IN ELECTRIC CHAIR

COLUMBIA, S. C., April 29.—(P)
Roy Jones, 25-year-old Spartanburg negro, was electrocuted at the state penitentiary here today for stabbing to death Anna May Young, negro woman.

Jones confessed the killing.

Crime-1932

Negro Slain After Killing Three Policemen In Jail

NEW ORLEANS, March 9.—(AP)—Three policemen were fatally wounded and a negro trusty also was shot at the Twelfth Precinct Station this afternoon by a negro prisoner who himself was shot and killed in an effort to escape, police said after he had been arrested for petty larceny.

Two officers died during the battle in which the negro for nearly two hours held 200 policemen at bay firing from his cell. After he surrendered, wounded, the negro was treated at a hospital. En route back to police headquarters, he was shot when, police said, he attempted to escape. The third officer died tonight after blood transfusions proved unsuccessful.

The officers slain were Patrolman Albert Oestricher, 36, who died tonight; Corp. George Weidert, 40, and Patrolman Cornelius "Buddy" Ford, 37. The negro prisoner was Percy Thompson, 28, and the wounded negro trusty is William King.

Thompson was arrested for breaking into a house and stealing some clothes, officers saying they found \$60 worth of clothes in his possession.

After being questioned by officers, who, Thompson before he died charged, had beaten him with a rubber hose, he was being removed to a cell by Patrolman Ford. As they reached the cell, the negro grabbed the officer's pistol and shot him.

King, the trusty, was cleaning the cells when the shooting started. He was shot and wounded before he could escape the cell room in which only Thompson was imprisoned.

Corp. Weidert and Patrolman Oestricher were fatally wounded after they climbed to the roof of a shed in an effort to shoot the negro from outside the jail. The negro dropped both of them but Oestricher crawled to a corner protection. The negro, using a mop left by the negro trusty, drew Weidert's pumpgun into his cell window.

Armed with a pistol, pumpgun, and cartridges taken from the belt of his first victim, the negro stood his ground until lodged by tear gas bombs and wounded.

Police were called from all precincts. Many of them were kept busy holding the crowd out of pistol range. Efforts to dislodge the negro from the outside proved fruitless and officers then threw gas bombs into the cell room. The negro agreed to surrender, but attempted to shoot Detective Andrew Arnold and, in turn, was shot down.

Arnold said that, as he approached the cell, the negro suddenly stooped and picked up the pistol, discarded when he agreed to surrender. Detective Capt. Harry Gregson leaped forward and knocked up the negro's firing arm just as Arnold shot the negro.

The wounded Thompson was removed to Charity Hospital where he made his statement that police had beaten him. His wound bandaged, he was being returned to the precinct when he is said to have made a grab for the pistol of

Detective Swanson. In the scuffle, Swanson said he shot the negro near the heart. The negro died within a few minutes.

NEW ORLEANS NEGRO RUNS AMUCK, KILLING TWO IN POLICE STATION

He Disarms Victims and Opens Deadly Fire, But Is Finally Subdued With Tear Gas Bombs; Shot and Killed When He Makes Second Threat

Thompson while trying to get out of the room.

NEW ORLEANS, March 9 (AP)—Wounded and subdued the Negro Running amuck with pistols and a pump gun in a precinct police station today, Percy Thompson, 28-year-old Negro, killed two policemen and wounded another and a Negro trusty in holding off a hundred officers for an hour, and himself was killed while being transported in a police automobile.

The dead officers were Cornelius Ford and George Weidert, and the wounded, Albert Oestricher, patrolman, and William King, trusty.

Patrolman Albert Oestricher died at Charity hospital tonight, the third police officer fatally wounded in the battle. Rebellious, the Negro told officers before he died, at a beating given him with a rubber hose, he snatched Ford's pistol and shot him. Thompson then took a stand in a cell, where he fatally shot Weidert, and wounded Oestricher and the trusty.

More than a hundred policemen led by heads of the police department rushed to the little jail in the heart of the Robertson street Negro section at the alarm that pandemonium had broken out.

Riot Guns Used

The officers pumped bullets from riot guns, pistols and a machine gun into the second floor cell tier where Thompson was in command.

He was fatally brought into a gesture of surrender by tear gas bombs and tactful persuasion from George Reyer, superintendent of police, that the police wanted to take him alive and not kill him.

Thompson was armed with two pistols and a pump gun taken from the men he had killed and wounded. After the smoke of battle had cleared away, Ford's body was found lying face down with the keys of the cells in his hand.

Weidert's body lay outside the iron-barred window of the cell on the gavel-tar roof on a shed from which other officers had attacked. His pump gun fell within a few feet of the window and the Negro pulled it into his cell with a floor mop.

Fought From Roof

Oestricher, while fighting from the roof, received a dangerous bullet wound in the abdomen. He managed to crawl behind a ventilator shaft and escape further bullets.

William King, the Negro trusty, was cornered in the narrow cell room as Thompson shot and killed Ford. He was shot and wounded by

Negro Executed
OPELOUSAS, La., June 15.—(AP) Armand Savoie, 43-year-old negro, was hanged by the state here today for the slaying of Police Officer Theodore Devalcourt, of Sunset, on February 25. The officer was shot when he attempted to arrest the negro at the latter's home.

Crime-1932

He Butted His Prisoner

John L. Neussinger, fleet Baltimore policeman, captured Jerry Malone, Washington, gunman and bandit, in a chase through city streets by cab and on foot.

According to police reports, the officer closed in "on the escaped fugitive at Howard and Redwood Streets and lowering his head, crashed into him. Hurling against a wall, the fugitive dropped from fright and fatigue and was easily captured."

Lest readers fail to understand the above, we would explain that the officer subdued his prisoner by butting him with his head.

Such tactics under the circumstances might not be considered extraordinary except for the prevalence of a myth that only colored folk have hard heads.

No, Neussinger is not colored. Unfortunately for us and for that "hard head" theory, only white persons are on the Baltimore police force.

Crime-1932



HOWARD "SAMMY" STEWARD
Life-prisoner pardoned by Gov. Ely.

GOV. ELY PARDONS LIFER

COLORED MURDERER H A D
SERVED 21 YEARS — RELEASE
AIDED BY REV. DE BERRY —
AMAZED AT AUTOMOBILE

Pardoned by Gov. Ely after he had served a little more than 21 years of a life sentence for murder, Howard "Sammy" Steward, 44-year-old colored man, had his first automobile ride late yesterday afternoon from Charles-town state prison to the State House. A few minutes later he walked out of the office of the board of parole a free man.

Today he will go to Springfield to visit the Rev. Dr. William N. DeBerry, prominent clergyman who has worked actively in his behalf for several years. Then he will go to Central Village, Ct., to work on the goat farm of former Representative Norman H. White, once of Brookline, who was paroled from state prison here on April 8 last year.

White and Steward became friends during the two and a half years the former representative was serving time for the larceny of \$469,000 from Boston banks.

Steward, who is a hostler by trade, was found guilty of murder in the second degree in Hampden county superior court April 24, 1911. He stabbed Thos. Donlin to death in a livery stable on Worthington Street, Spring-

field, following an argument over a dice game on Oct. 1, 1910. Steward had come to Springfield from his birthplace in Buena Vista, Va., only a few months previously.

With Forrest C. Palmer, special investigator of the board of parole, Steward was whisked from the prison to the State House in a taxicab. Automobiles were a novelty to him and traffic something almost incomprehensible. When he reached the office of Frank A. Brooks, chairman of the board of parole, he was grinning widely and perspiring freely.

Crime - 1932

POMEROY, O.
TRIBUNE

AUG 5 - 1932
MICHIGAN'S BLOT

ONCE MORE has the short-sided policy of Michigan voters been brought to the attention of the world in general. Once more has the fair name of the state been forced to see a sickening blot placed thereon. Once more has crime been committed and the perpetrator been inadequately punished.

Michigan does not have a death penalty for first degree murder and as a result in the not too distant past, the state of Michigan and the country in general were shocked beyond words when two young men and two young women were made the foul victims of a trio of killers after they had been robbed and the girls cruelly assaulted. Again has a similar crime been committed. Virtually the same motives impelled both crimes, the only difference being that this latter crime involved only a poor innocent fair-haired high school graduate who was unfortunate enough to run afoul of the cruel monster who so wantonly ravished her and then took her life.

In both instances, the beasts, too low to find classification with human beings, quickly, almost eagerly confessed their crimes in order that they might swiftly be whisked to the penitentiary where their miserable lives would be safe from the righteous pent-up wrath of an indignant citizenship.

While summary justice and lynch law are to be condemned as a matter of principle in the great majority of cases, there are exceptions to all rules which merely prove their point. Just such a case is this and just such a case was the other Wolverine murder. When a commonwealth fails to protect, properly its citizenship, from the prowling animals which are allowed to prey unhampered among its people, no greater cause can exist for the citizenship to take such steps as are necessary for its own protection.

It is therefore, to be regretted that the Michigan citizens aroused by their great grief and the horror of it all did not gain access to the "skunk" who besmirched, befouled and finally murdered the beautiful young victim and then buried her body in a shallow grave in an abandoned house.

It is fervently to be hoped, even to be prayed that some kind of a reaction will come over the American citizens which will tend to bring an end to this ordeal and orgy of crime so common to the readers of newspapers throughout our land. Present methods of handling the situation are admittedly far short of meeting the situation.

Crime-1932

Mississippi

2 NEGROES HANGED
~~CHORUS~~
AS CHORUS CHANTS
SPIRITUALS NEARBY

11-19-32

BELZONI, Miss., Nov. 18.—(AP)—
Two negroes died on the gallows here
today, climaxing a religious demon-
stration that began last Sunday.
Prisoners hummed spirituals and the
strains of a favorite hymn floated
through the windows from a negro
choir outside the jail yard.

Robert Woodward and Will Dixon
died for the slaying of Joe Rustici,
a 69-year-old Italian merchant of Sil-
ver City, whose battered body was
found in a pool of blood in his store
last November.

~~Atlanta~~
The negroes expressed a desire for
religious instruction while being held
in jail waiting their execution. The
first demonstration for their spiritual
well-being was staged Sunday night,
when more than 1,000 negroes assem-
bled in the jail yard from many sec-
tions of the Delta, prayed and char'
spirituals far into the night.

Crime - 1932

Negro Wins Execution Stay In High Tribunal

JACKSON, MISS., Jan. 8.—(P)—A last minute appeal to a Supreme Court judge today resulted in a stay of execution for Tom Carraway, Jackson County negro sentenced to hang this afternoon at Pascagoula.

Attorneys for the negro first appealed to Judge Walter White of Circuit Court, who stated that the writ *coram nobis* should be filed before the high court. Taking the matter before Supreme Court Judge V. A. Griffith, attorneys were turned down at 3 o'clock, a half hour before the scheduled execution. They then took the writ before another Supreme Court judge, W. W. D. Anderson who granted it. The stay was immediately transmitted to the sheriff of Jackson County.

Under the writs the attorneys say they have found new evidence they wish to present to the high court. It was also alleged that Carraway did not know his case had been appealed to the Supreme Court which body affirmed the death sentence, and that he was not represented in the court when the matter was called.

Negro To Be Executed On Charge Of Murder

HATTIESBURG, MISS., Jan. 25.—(P)—Andrew Prince, negro, on trial for the murder of J. L. Odom, filling station operator, was found guilty of first degree murder by a jury late today.

The verdict automatically carries the death penalty and Judge W. J. Pack immediately set his execution for Feb. 26.

The jury deliberated only about 15 minutes. It had been selected earlier in the day.

Odom was shot to death in a holdup on Dec. 9, 1931, at his filling station.

Death Sentences Of Negroes Are Affirmed

JACKSON, MISS., April 4.—(P)—Death sentences of Eddie B. Weeks and Emanuel (Kid Boy) Jackson, convicted negro murderers, were affirmed by the State Supreme Court today. May 12 was set as the execution date.

Jackson was convicted for the murder of Bramlette Bates, Amite County planter. He was captured just across the Louisiana line several days after the shooting. His trial aroused statewide interest owing to calling of a detachment of National Guard troops to prevent threatened violence. His appeal was based on admission of evidence of an alleged confession.

Weeks was refused an appeal from the Washington Circuit Court. He was convicted for the murder of Walter Davis, another negro.

MISS. WHITE WOMAN'S LOVER TO DIE IN APRIL

JACKSON, Miss., March 21 (ANP.)

—The case of the State of Mississippi against Ervin Pruitt, charged with having been the father of a child by a white woman, and with having made the woman and the child, in order to get rid of it, has just been confirmed by a majority opinion of the Mississippi Supreme Court, and Pruitt sentenced to be hanged on April 15.

2 Mississippians

Must Hang May 12

JACKSON, Miss.—Emanuel (Kid Boy) Jackson of Amite county, whose trial for the murder of Bramlette Bates, white planter, forced a calling out of the national guard to protect him, must be hanged May 12, the supreme court ruled last week.

Two of the six justices dissented from the death opinion. There was evidence that Bates died with a knife in one hand, a stick in the other. Jackson claimed he shot in self-defense.

Also to be hanged May 12 is Eddie B. Weeks of Washington county, convicted of the murder of Walter Davis, also a member of the Race.

NEGRO HOMICIDES IN MISSISSIPPI

The Mississippi Bureau of Vital Statistics

has performed a valuable service in

segregating the homicides for 1931 be-

tween the white and negro races.

It is shown conclusively by these figures

that the heavy homicide rate of the State

is due largely to the fact that approxi-

mately half of our population is black.

Homicidal deaths in Mississippi for

1931 totalled 497—126 white, and 371

colored. The total rate was 24.4. The

rate for the previous year was 25.8.

Six counties in Mississippi had no homi-

cides in 1931. These are Chickasaw

Claiborne, Franklin, Oktibbeha, Stone,

and Webster.

On the other hand, six counties reveal-

ed a total of 143 homicides—nearly one

third of the total number committed in the

State. These counties are: Bolivar, 27

Coahoma, 18; Hinds, 36; Sunflower, 22

Warren, 22; and Washington, 18.

HOLD DENTIST AS MURDER PLOTTER

Collected Insurance on Four

Persons' Lives in Past

Eighteen Months

YAZOO CITY, Miss., May 30 (ANP).—Evidence pointing to wholesale slaughter pact and the existence of a "murder farm" near Yazoo City, in which five persons are believed to have been killed in a diabolical plot of a dentist to collect several thousand dollars in insurance, is being investigated by District Attorney Hugh B. Gillespie following the finding of the mutilated body of Norville Sanders, and the confession of his slaying by Dr. Lawrence Packer, dentist.

District Attorney Gillespie says that he was informed that Dr. Packer has collected insurance policies on four persons during the past eighteen months, all of whom are alleged to have died suddenly, presumably the victims of ptomaine poisoning.

Sanders' body was found by police in a rumble seat of an automobile parked in front of Packer's home.

A check of the files of the bureau of vital statistics revealed that Dr. Packer's wife, Annie Quinn Packer, died suddenly on April 19 of this year from "ptomaine poisoning," just four days after the "sudden" death of his stepdaughter, Frances Quinn, who died of the same malady. The circumstances surrounding the deaths of both the women are said to have been identical.

DULUTH, MINN.

HERALD

JUL 5 1932

backward Mississippi

Literary Digest: Every day saw the killing of a Negro in Mississippi: in 1931, on an average, and every five days the killing of a white man. The total homicide rate for the year was 24.4 per 100,000 population. Of this, Negro murderers of Negroes contributed by far the larger share.

Of the seventeen states reporting homicides for 1929 in excess of 10 per 100,000 of estimated population, eleven are in the South. The average in other states is about one-third that of the seventeen. The national rate is the highest among civilized nations, excepting Italy.

Racial friction is dismissed as an important factor on the authority of Dr. H. C. Brearley of Clemson

News Jackson Miss
JUN 5 1932

A GHASTLY HANGING

Members of the Mississippi legislature who voted against the bill to substitute the electric chair for that relic of barbarism, the gallows, will no doubt aread with keen pleasure the following paragraph from a press report of the recent legal hanging of "Kid Boy" Jackson, a negro murderer, at Liberty:

"The negro's body shot through the trap with a sickening thud and bounced upward. His head was almost severed from his body, as the rope cut deeply into his throat and bled freely. Strangely enough, however, it was nineteen minutes before Dr. D. M. Quin pronounced him dead."

A nice, pleasant occasion, and no doubt greatly enjoyed by all present, especially when the blood spurted from the condemned man's throat. Small wonder that some of the spectators were not sprayed with the scarlet fluid.

college, South Carolina. This sociologist, we are told, has assembled data indicating that the homicide rate among whites in the South is, by and large, the highest in the country.

A factor entering into the situation is the Southerners' traditional sensitiveness about women. A slighting remark or an actual wrong required immediate redress, and often the services of a coroner. But, we are told, the women got tired of all that, and now, for the most part, "do their own bawling out."

Homicidal deaths in Mississippi during 1931 totaled 497—126 white and 371 Negro—recites Dr. R. N. Whitfield, director of the state bureau of vital statistics. The rate for 1930 was higher—25.8.

In 1931, says Dr. Whitfield, 104 whites were killed by whites; twenty whites were killed by Negroes, and two whites were killed by persons of color unknown. Likewise, 303 Negroes were killed by Negroes; fifty-four Negroes were killed by whites, and fourteen Negroes were killed by persons of color unknown. Of the fifty-four Negroes killed by whites, relates Dr. Whitfield, at least twenty were killed by guards and officers, particularly in resisting arrest.

JUN 20 1932

MISSISSIPPI LEAD IN KILLINGS.

Homicide Rate for 1931 Was 24.4 Per 100,000 Population.

From the Literary Digest.

Every day saw the killing of a Negro in Mississippi in 1931, on an average, and every five days the killing of a white man. The total homicide rate for the year was 24.4 per 100,000 population. Of this, Negro murderers of Negroes contributed by far the larger share.

Of the seventeen states reporting homicides for 1929 in excess of 10 per 100,000 of estimated population, eleven are in the South. The average in other states is about one-third that of the seventeen. The national rate is the highest among civilized nations, excepting Italy.

Racial friction is dismissed as an important factor on the authority of Dr. H. C. Brearley of Clemson college, South Carolina. This so-

ciologist, we are told, has assembled data indicating that the homicide rate among whites in the South is, by and large, the highest in the country.

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YOUTH LOSES FIGHT

TO ESCAPE GALLOWS

JACKSON, Miss., July 21.—(P)—Governor Sennett Comer announced he would not interfere with the scheduled hanging at Hattiesburg Friday morning of Paul Wexler, 18-year-old white youth, and Andrew Prince, 21, Negro, for the murder of J. L. Odum, Hattiesburg filling station operator, in a holdup.

Wine, Women and Gambling
Lead to Mississippi Slayings

Caused 90 Per Cent of the 497 Murders Committed in the State Last Year, Bureau Statistics Reveal.

Commercial Appeal
JACKSON, Miss., July 24.—Wine, women and gambling accounted for 90 per cent of the 497 murders in Mississippi last year.

This was disclosed today by Dr. R. N. Whitfield, director of the bureau of vital statistics of the state board of health.

"Immorality and drunkenness, which all must admit are more common today than ever before in the history of the state, are at the bottom of the high homicidal rates that have prevailed in Mississippi for the past several years," said Dr. Whitfield.

"Few More Besides." According to statistics prepared by Dr. Whitfield, a negro was killed every day last year and a "few more besides."

A white person was killed every three days, during the same period. "Fifteen states of the union last year, containing a total of almost 13,000,000 people, had fewer homicides and murders, altogether, than the state of Mississippi with its 2,000,000 population," Dr. Whitfield disclosed. The average homicide rate per 100,000 people in Mississippi was 24.5 per cent.

Dr. Whitfield's report follows: "A few individuals are slain in Mississippi every year while in the act of robbery or plundering—very effective treatment for this class of criminals as most all agree. However, thousands of fights and killings which have taken place in the state within recent years have been over the most trivial matters and could have been easily avoided with only a moderate control of temper."

According to newspaper reports, one young man was killed last year in an argument over a penny. The court had not disposed of the case a year after the deed was committed.

Self-Defense Plea. "Self defense" is the standard plea in practically every murder or manslaughter case, just as the charge "cruel and inhuman treatment" is so commonly used as a cause in suits for divorce; but behind this screen, we can observe the causes which operate to produce homicides and murders in the state of Mississippi, and these causes are very few in number. As stated above, many homicides are committed over the most trivial affairs but women and intoxicants can be blamed for at least 90 per cent of the murders.

"Gambling and quarrels over property also are prolific sources of murder."

"It is evident that the general moral stamina of the people as a whole in this country is on a lower level than it has reached in many years. This is plain to any thinking individual who views the practices of the present generation in the light of other days."

"As to law enforcement, the record speaks for itself. At every railroad crossing, our children learn disrespect for Mississippi law. There are dozens of laws on our statute books, which have hardly any enforcement at all. Out of a total of practically 500 murders and homicides committed in Mississippi every year, there are usually about two hangings; about one-third of the participants are sent to the penitentiary and about two-thirds go free."

Gets the Breaks. "The criminal in court in this country according to our system of jurisprudence, gets all the breaks while the state gets very few. In the first place, he is presumed innocent until proved guilty. Then, if he thinks that there is a strong probability that he will be convicted in his home county, he has the right to ask for a change of venue; the state cannot ask for a change of venue. The criminal is tried before a jury of 12 men—some of whom are often sometimes unable to read or write and yet they are directed to decide the case 'according to the law and evidence.'"

"There are defense lawyers in a great many county seats who make it a practice to carefully cultivate the friendship of as many people in the county as possible, therefore, it is but reasonable to suppose that such an attorney can more easily influence a jury containing ignorant men than can a district attorney living in another county. One juror can hold out against 11 others in the matter of a conviction and often leads to dismissal of the case at a later term of court."

"An attorney often uses all sorts of technicalities that are mysteries to the common run of men, in order to get his client free of entanglements of the law. If his client is convicted, he can appeal to the supreme court for a review of his case. If he is not convicted, the state cannot make an appeal to the supreme court."

"If the supreme court finds no error in the trial, then he still has a chance to escape the gallows by all sorts of specious arguments assisted by sob-sister stuff to get the governor to commute his sentence to life imprisonment. If he is sentenced to life imprisonment, he knows very well that not many years will elapse before some governor will pardon him and he will be a free man once more."

"According to our humble opinion, the jury system is antiquated and is not serving its purpose. It seems to us that if the constitution were so changed that three judges could hold court in the various counties in the

state of Mississippi, we would get by with about one-fifth of the expense and with about five times the efficiency we now observe under the jury system. If one judge can try a case in chancery court, it seems very reasonable that three judges can try all criminal cases in the circuit court. They should be appointed by the governor and not elected by the people. It is also reasonable to suppose that three good lawyers acting as judges, should have more legal intelligence in a particular case than 12 men who have never looked inside of a law book. If these judges should sentence an individual to hang, then that individual has a right to appeal to the supreme court."

"It may be stated, in closing, that from all reports, the courts in Mississippi have shown in the past few months a greater increase in criminal convictions than has been observed in quite a long time, but we wish to warn the people of this state that according to our reports, there have been more homicides and murders committed in Mississippi during the first four months of this year than were committed during the first four months last year. It is high time that our laws should be enforced in order to curb this menace to our social fabric."

Negro Hangs Today For White Woman's Murder

JACKSON, Miss., Oct. 27.—(P)—Negro, late today trans-ferred from the Hinds County Jail to Philadelphia, Miss., where he is scheduled to hang tomorrow for the slaying of a white woman, Mrs. J. L. Odum, a heavy guard was maintained during the trip from Jackson to Philadelphia.

When Sheriff R. F. Hayes, of Neshoba County, pulls the trap that will send Roberts to his death, it will mark the first legal hanging in the history of the East Mississippi County.

No appeal was taken to the Supreme Court in his case.

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Crime-1932

BLACK ROBBERS TURN OUT TO BE WHITE GUNMEN

When the Kansas City police took Bossie Negro and William Rogers, two white men, into custody Tuesday they cleared up the robbery story of Eyrle K. Brockel, 40 years old who claimed he had been held up by two Negroes in a motor car on January 14. Because he had only a small amount of change in his pocket, the Negroes shot him. Brockel informed the police.

Brockel, according to the police, proved to be a gambler and had cursed Rogers, a bartender in a hotel basement, over a woman. Later he entered the barroom with a gun and started shooting. Rogers claims he shot in self defense. Negro was present at the time of the shooting. Both men deny knowing how Brockel, who is also known as Brock, got to the hospital.

The real damage done to the Negroes of Kansas City was the story that appeared in the daily newspapers blackening the race on the strength of Brockel's false robbery tale.

Time and again, in order to cover up crimes committed by one of their own, that class of white men have hid behind the skirts of the Negro.

Being in the minority and with the police believing anything but the good about Negroes, it seems easy to place a crime upon the shoulders of a black man.

ST. LOUIS, MO.

STAR

MAY 4 1932

The Negro's Hard Lot.

Editor St. Louis Star: I wish to protest against the unjust discrimination made by juries and judges between white and Negro criminals. In a recent paper I read on the same page of two widely different crimes. One was a Negro named Sellers who was sentenced to "life" in the penitentiary for a \$35 robbery. The paper said it was his second offence. It was Judge Beck who inflicted this drastic punishment. On the same page I read that the baby killer Bischoff, a white man, was committed to an insane asylum for an unspeakable crime deserving death under any circumstances.

Gangsters, crooked politicians, absconding bankers and thieving promoters slip through the weak fingers of justice on clever technicalities or because of the slowness of our courts. All the while we visit stern punishment untempered by thoughtful study of widely diverging conditions and racial handicaps, upon a dusky train of offenders who are really entitled to our help and protection.

We brought the Negro here and set him free in a bewildering world different from his native land. A naturally gentle, kindly, peaceful race of people, we first submerged them in a life of bondage and dependence. Then realizing our mistake we thrust them into the dazzling blinding, living light of a freedom which they were ill equipped to enjoy and because they have made a few mistakes, and a few friends of their race have fallen prey to temptation, we deliver ruthless verdicts.

Comparing the Negro in our midst with the lawless type of foreigners who have been coming in daily to bootleg, become gangsters, hoard their money and eventually return to their native land, I think the odds are all in favor of our dusky brother. They are even cleaner and more domestic in their homes. I can hear some prejudiced reader say, "Yankee stuff!" but hold your breath. I'm a real southerner, the kind who cherished, protected and fought for their Negroes. It is true all southerners did not deal so justly with their slaves, but that is why they have their freedom today. Here in the north they have their freedom, but they are obliged to live in leaky, unimproved houses abandoned by us, and take the jobs that a white man won't have. I have seen six or seven families living in one house subsisting on a mere pittance, earned, perhaps, by one employed toiler in the lot. They never complain, are always ready to spend their earnings liberally and share what they have. Many of them are well educated and highly intelligent. In one home I met four Normal school graduates who couldn't even get work as maids. What inducement is it to their toil-worn parents to give them an education they can't even use for their own support? They buy the best and pay cash for what they get. With a little more tolerance and guidance they'll stand neck and neck in the home stretch I could tell many splendid things about them if space permitted.

J. R. BOGY.

THIS CLIPPING FROM THE

ST. LOUIS MO.

POST DISPATCH

OCT 8 - 1932

LETTERS FROM THE PEOPLE

Half-Wits at Large.

To the Editor of the Post-Dispatch:

THERE was nothing particularly startling in your news account of a New York Negro, James Felton, who confessed to having carried the suitcase of dynamite used to bomb Judge Webster Thayer's home in Worcester, Mass. There are so many tragic crimes with which Negroes are connected these days that there ceases to be any news thrill in learning that a Negro has muscled in on an aftermath of the famous Sacco-Vanzetti case. (Felton has since confessed he had perpetrated a hoax. Editors' note).

My "rise" comes from a simple statement at the end of the article: "He was once an inmate of a mental hospital in New York." Many serious crimes are committed only because there are so many people of low mentality available to do the hazardous parts of "jobs." In every group in a community is found its quota of mentally irresponsible people.

Progressive communities institutionalize them for two principal reasons: to protect these unfortunates from being exploited, and to protect society from the effects of their exploitation. It would be interesting to find out what proportion of crimes in our large cities have made use of such mental cases as Felton.

Here in St. Louis excellent facilities are provided at the St. Louis Training School for all races but the Negro. We must be given credit for not having among us any half-wits or morons, but we contend that we have our share, like other race groups. During times like these, their presence, in our families helps to make the financial burden heavier. Their presence in our Negro neighborhoods make it easier for criminals to find "pawns" for their games.

If Felton's case means anything to us, it should show that a Negro mental case at large is as unfair to the case and as dangerous to society as a white mental case at large. Should we not give this problem serious attention?

JOHN T. CLARK,

Executive Secretary, Urban League.

Missouri

THE LINDBERGH CASE

The kidnapping of Charles Augustus Lindbergh, 3d, last week, has riveted the attention of the entire world. The machinery of county, State and nation was immediately put in motion to recover the child and to apprehend his abductors. Neither money, time, nor effort have been spared. Police, State troops, national law enforcement officers, speedboats, airplanes and other mechanical devices have been brought into operation in an attempt to recover the innocent son of America's pride, the Lone Eagle of the Air. 3-11-32

The press, the pulpit, and the radio have been put at the disposal of the harried family.

Not only, however, at the disposal of the tortured parents, but equally at the disposal of the despicable criminals guilty of this dastardly crime.

The forces of law and order having failed, gangsters and racketeers have been appealed to, and so far in vain.

Not only has the harassed father, who has witnessed the law of his land turn to water in the hands of its sworn officers, offered to deal directly or indirectly with the criminals, personally or by any agency they may select, but he has offered them unconditionally that he will not in any wise aid in bringing them to justice if they should see fit to return his first born to him unharmed.

The whole world must suffer with his suffering; and his splendid achievements, and still more splendid modesty in the face of overwhelming honors cause the world to weep with him in his hour of trial.

At the same time every church and every hospital, every doctor and every other private agency have offered to violate the law and offer sanctuary to these criminals if the son of the best beloved may be returned safely to his home.

In addition to this the law enforcement officers of county, State and nation have tacitly agreed not only that immunity may be confidentially expected by the criminals, but that they may take the spoils of their crime from the distracted father and go their ways in peace.

Our governments, county, State and nation have as dishonorably surrendered to the forces of lawlessness and have as objectly sued for peace at the hands of the criminal element of this land as though they were an overwhelmingly conquering horde of invaders sent hitherto by an irresistible foreign foe, threatening our land with destruction.

And the surrender is much more dishonorable, indecent and dangerous. If the foreign foe were irresistible there would be little of dishonor in yielding to superior strength.

And the conquering country having obtained the object of its invasion might go away and leave us in peace.

They would ask us, however hard their terms, to accede to them under the laws of nations as one equal dealing with another; but these criminals are sued to let us alone, and invited to go in peace, singing the song of the Christian:

"Each victory will help us some other to win."

It is no time to lecture, no time to say "I told you so," but may the voice of a people often times as a people and as individuals suffering the agonies that this family now suffers, and in silence and without sympathy, be pardoned in saying

that if the forces of the law had aroused themselves and combatted organized lawlessness in the lynchings that have disgraced this country from time immemorial and had made it to be known that the law could not be overridden in the case of the weak and the lowly; these forces of the law might not stand as they do now, pitiable supplicants suing for peace with criminals. "Each victory, etc."

Colonel Lindbergh may be sure of the sympathy of the Negro race.

We venture our all that no Negro did this deed. We have always known, what we fear that other fathers like he must come to know all too soon—in shame be it said—that the laws of our land offer no protection to the home from the lyncher, the kidnapper, and other lawless invaders.

Long-Dead Child Identified by Nurse And by Physician

Negro Finds Decomposed Body of Kidnaped Baby Concealed by Brush and Leaves on Mount Rose Hill Near Lindbergh Country Estate.

HOLE IN FOREHEAD OF CORPSE INDICATES MURDER OF INFANT

Identification of Body Is Effected at Home by Means of Bits of Clothing; Effort Apparently Made To Conceal Evidence of Crime.

—Pictures and Full Details in Page 6—

BY FRANCIS A. JAMIESON.

(Copyright, 1932, by the Associated Press.)

HOPEWELL, N. J., May 12.—The stolen baby son of Colonel Charles A. Lindbergh was found dead today in the Sourland hills of New Jersey. The child had been murdered. Blows on the head, inflicted probably on the same March

the child's garments. The tragic news found the child's mother, in the words of an intimate friend, bearing up with her "usual equanimity." His father was absent from Hopewell, presumably off the Jersey coast with J. H. Curtis in a vain attempt to negotiate for the baby's return. He was communicated with, however, and he hastened to Hopewell from an undisclosed place. Whether the child had been killed with calculating purpose by criminals who found it advantageous to them to get rid of the infant or whether he had been struck or thrown from a fast-moving automobile by panic-stricken abductors was a matter of conjecture. The state's law enforcement agencies sprang to the task of rapping the kidnapers with renewed vigor, Colonel H. Norman Schwarzkopf, state police head, announcing that he already had a gang under suspicion and governor A. Harry Moore contributing the statement that—"every attempt should be made now to find the murderers of the Lindbergh baby." Significance was attached to a hurried telephone call which the summoned County Prosecutor Irwin E. Marshall to the Lindbergh home for a conference late tonight. Two heavy blows on the head ended the life of the baby,

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Two heavy blows on the head ended the life of the baby,

caused the infant's death.

The body, lying face down in a hollow and partly covered by leaves and wind-blown debris, was discovered by a negro truckman in a patch of woods less than five miles from the Lindbergh estate.

The body had been struck once on the top of the head on the left side and once on the right below the ear, either blow so violently delivered that it would have caused instant death. It lay within 75 feet of where linesmen had strung special circuits to carry on worldwide communications in the long and unsuccessful effort to get back the curly-haired infant.

So badly was the body decomposed that it had to be identified by pieces of clothing, bone structures and teeth, and it was impossible to give the police the slightest clue as to exactly what kind of instrument had brought death.

To the Trenton establishment of a county physician came the news that a nursemaid to the child and the last person to see him alive on the night he was stolen 72 days ago, to forge the final link in the identification. She made her identification both from the appearance of the body and the fragments of

the official autopsy by Dr. Charles A. Mitchell, county physician, disclosed tonight.

The autopsy showed that the skull had been fractured on the left side, the fracture extending from the top of the head to just behind the left ear. The second blow was dealt on the right side of the head just back of the right ear, and left a hole one-half inch in diameter.

It was as if some adult person had held the baby tightly in his arms and deliberately hammered the head with the purpose of causing instant death.

The diagnosis was:

"The cause of death is a fractured skull due to external violence."

Dr. Mitchell's report confirmed that decomposition of the body had progressed to the point where it could be surmised that the child had been killed almost immediately after the kidnapping, depending on climatic and other conditions that might have produced such results.

The autopsy also indicated that the body had not been disturbed, probably since it had been buried, although this point was not covered definitely.

Teeth, cranial and other bone formations were given to confirm the identification of the child, although the autopsy was purely technical and itself did not try to establish identity.

Dr. Mitchell said there was evidence of a hemorrhage on the inner surface of the left side of the skull at the point of fracture. This would indicate that the blow on the left side of the head might have been the one that actually caused death.

The scalp was so badly decomposed that it was impossible to find any contusions or hemorrhagic conditions external to the skull, Dr. Mitchell added. Thus it was impossible from a diagnostic point of view to aid the police in the hunt for the actual instrument of death. Colonel Schwarzkopf later issued the following emergency bulletin:

"A preliminary telephone report from the county physician indicates that a number of positively identifying characteristics have been discovered in the body found today which would identify it as being the body of the Lindbergh baby.

"Betty Gow (the baby's nursemaid) has positively identified the garments found on the body discovered today as being the garments in which the Lindbergh baby was clothed on the night of the kidnapping. The sleeping suit was not on the baby, but the two shirts on the body have been positively identified by Betty Gow. Mrs. Morrow and Mrs. Lindbergh were at the Hopewell home when it became known that the baby found today was the Lindbergh baby."

"Colonel Lindbergh was immediately communicated with and is on his way to Hopewell now. The body was found on the left (southwest) side of the road going from Mount Rose to Hopewell. More than 20 additional troopers were immediately ordered to duty upon the discovery of the facts."

Trenton, N. J.

Reporters were summoned to the Lindbergh estate for an important announcement.

The telephone rang again. It was Colonel H. Norman Schwarzkopf, state police head, who has been the field marshal of the official investigation, calling his superior, Governor A. Harry Moore.

"Colonel Schwarzkopf tells me the Lindbergh baby has been found dead," the governor informed the Associated Press correspondent.

Three hours before (about 3:15 p. m.) a truck bearing four men had stopped on a steep grade between Hopewell and the hamlet of Mount Rose. The vehicle halted opposite a wood separated from the road by a small ditch. William Allen, a negro, went into the woods and saw the body.

"The body was pretty well concealed by leaves, dirt and brush," the subsequent formal statement by Schwarzkopf explained. "... Going under the bush he (Allen) lowered his head and as he raised a branch he saw a skeleton on the ground. It was in a bad state of decomposition," was the way Schwarzkopf summarized the gruesome details of the condition of the child's body.

Physicians later theorized the compound fracture was caused either by a blow on the head with a blunt instrument or from the effects of being hurled from a car.

The best medical estimate was that the body had been exposed to weather for "about two months." However, physicians explained the child might well have been abandoned on the same night he was stolen from his home.

Colonel Lindbergh, who had made an exhaustive private search for his stolen son, spending thousands of dollars and even paying a \$50,000 ransom to the supposed kidnapers, was absent as the formal statement of the finding of the body came from police headquarters at his hilltop home.

State troopers said he was not on the estate. Latest reports were that he had been in Virginia for more than two weeks attempting to establish contact with men posing as the kidnapers.

Mrs. Anne Lindbergh, daughter of the late Senator Dwight W. Morrow, who expects the arrival of another child within several months, also was not seen. She and her mother, Mrs. Morrow, were known to have been in the house, however.

A wind howled over the Sourland countryside that March 1 night when the kidnapers crept up a ladder to the second-story window and took the baby from his crib while his parents and nurse were in other parts of the house.

A drizzling rain fell in the dusk of the late afternoon as those who had been summoned by police assembled in the garage.

Schwarzkopf, a grave look on his face, told the arrivals to be seated around the long table in the garage and then discussed in detail how the statement was to be made public.

He directed that no one leave before he had concluded. And when he had finished he waved aside all questions and directed all outsiders to depart at once.

Among the information to be withheld was any detail concerning the whereabouts and health of the Lindbergh family.

As he read his typewritten state-

ment in a quiet, deliberate voice, he seemed to be weighing each word carefully before uttering it.

Pencils raced across pads and there were no interruptions except for the almost constant jangling of telephone bells. State troopers answered the calls but refused to reply to any questions.

The formal police statement:

"We have to announce apparently the body of the Lindbergh baby was found at 3:15 p. m. William Allen, a negro, was riding from Mount Rose, N. J., to Hopewell with Orville Wilson, on a truckload of timber. They stopped the truck near a woods. He (Allen) went into the woods on the Mount Rose Hill in Mount Rose, N. J. Going under the bush he lowered his head and as he raised a branch he saw a skeleton on the ground.

"He called back to Mr. Wilson. Mr. Wilson ran into the woods, saw what it was, and decided to go to Hopewell to get police. They notified Chief Wolf, of the Hopewell police, who notified these headquarters. Inspector Walsh, of Jersey City; Sergeant Moffett, of the Newark police; Lieutenant Keaton, of the New Jersey state police, and a number of other detectives immediately went to the scene.

"They reported finding the body of a child estimated to be between 1 1/2 and 2 years old, in a bad state of decomposition, having blond hair and wearing what appeared to be an undershirt and a flannel band around the body.

"Not satisfied with this as identification, the men sent back to Hopewell to the Lindbergh estate to get samples of the undershirt the baby wore and of the flannel shirt the baby had on the night of the kidnapping (March 1). This flannel shirt had an embroidered collar on it. These articles were taken back to the scene and were compared with the clothing found on the body and were matched closely enough to afford an identification of the body as that of the Lindbergh baby.

"The statement of William Allen and Orville Wilson says that the body was pretty well concealed by leaves, dirt and brush.

"The skull had a hole in it about the size of a 25-cent piece above the forehead. There apparently had been an attempt to bury the face downward. It was in a bad state of decomposition. Mercer county corner and the county physician were immediately called. The physician is Dr. Charles H. Mitchell. The coroner is Walter Swayze, both of Trenton.

"The body was found about 75 yards off the road in the woods."

To this dramatic denouncement the reaction of Governor Moore was expressed tersely:

"Every attempt should be made now to find the murderers of the Lindbergh baby."

Mount Rose is a hamlet of five houses and a general store. The Mount Rose road is a little-traveled cross-road between Princeton and Hopewell.

The discovery of the body in the very countryside where the kidnapping took place followed more than two months of whirlwind investigation.

Ships at sea had been searched. A New Jersey state police officer had been sent to Europe to pursue one phase of the inquiry there.

Wild tips came to the Lindbergh estate by mail and cable from almost every nation on the globe. Special translators were employed to handle

the foreign mail that poured in when the investigation was at its height.

One peak in the long-drawn-out search came when it was learned that Dr. John F. Condon, aged New York educator, on April 2 had paid \$50,000 ransom money, as an agent for Colonel Lindbergh, to a man in the shadow of a Bronx (New York city) cemetery.

This development followed a long series of communications between Dr. Condon and men who represented themselves as agents of the kidnapers. Some of his communication was by notes and the rest through a series of newspaper advertisements which Dr. Condon signed with the name of "Jafsie."

Finally, convinced he was in contact with the actual kidnapers, he paid the money. He later said Colonel Lindbergh himself sat in a car a block away while the money, in bills of small denomination, passed hands.

The colonel and some of his associates immediately left for the Massachusetts coast, where Dr. Condon said the receiver of the ransom had said the baby would be found.

Two days of futile search followed. Finally, convinced those who received the money were not going to live up to their part of the bargain, Lindbergh gave a list of the serial numbers of the bills to the treasury department.

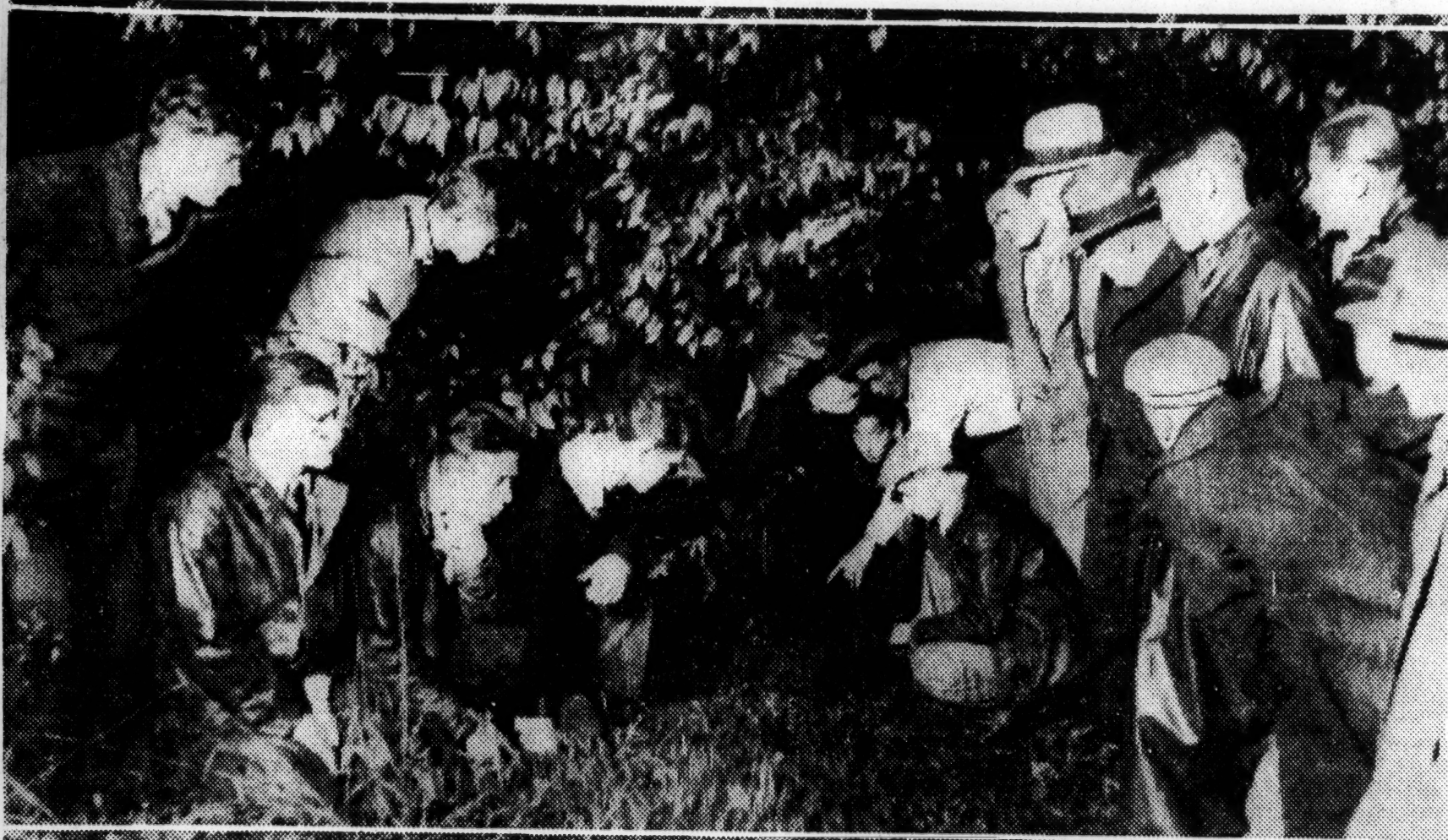
The numbers were sent far and wide. Some of the bills were reported found, but the discoveries did not lead investigators any nearer to a solution of the mystery or discovery of the child's whereabouts.

Meanwhile, three other intermediaries—a retired admiral, a clergyman and a shipbuilder—were making diligent efforts in Norfolk, Va., to establish contact with men they believed the abductors.

After frequent mysterious trips by plane they announced they had succeeded, but their hope of bringing about the child's return grew bright only to dim again as weeks wore on.

Crime-1932

Where Body of Lindbergh's Baby Was Found



The above Associated Press telephoto shows newspapermen and spectators looking at the spot near Mount Rose, N. J., Thursday, May 12, where the decomposed remains of Charles A. Lindbergh Jr. were found a few hours before by a teamster. The baby was kidnaped from his nursery in the Lindbergh home, five miles away, March 1, 1932.

MISSING CHILD'S BODY IS FOUND NEAR LINDBERGH'S ESTATE BY WILLIAM ALLEN

HOPEWELL, N. J. — The gaunt fastnesses of the Sourland mountain region revealed the tragic answer to a question the whole world has been asking since March 1, when the body of the Lindbergh baby was found Thursday afternoon by William Allen, a Negro, and Orville Wilson.

Close to the estate of America's ace aviator and most popular hero at Hopewell, N. J., the body of the famous flier's kidnaped child was found buried in underbrush. Al-

though the body was in a bad state of decomposition, positive identification was made through clothing and the blonde hair of the skeleton.

Allen Makes Discovery

Allen and Wilson discovered the body almost by accident as they were driving a truckload of timber from Mount Rose, N. J., to Hopewell. Having stopped the truck near a woods, Allen sighted a skeleton under a bush. Police were notified immediately and their investigation revealed that the man-hunt for the kidnaped Lindbergh baby, which had taken in the means of communication, was at a tragic end.

The formal police statement according to the Associated Press follows:

"We have to announce apparently the body of the Lindbergh baby was found at 3:15 p. m. William Allen, a Negro, was riding from Mount Rose, N. J., to Hopewell with Orville Wilson on a truckload of timber. They stopped the truck near a woods. He, Allen, went into the woods on the Mount Rose Hill in Mount Rose, N. J. Going under the bush he lowered his head and as he raised a branch he saw a skeleton on the ground, and a person's foot.

Called Wilson

"He called back Mr. Wilson. Mr. Wilson ran into the woods, saw what it was and decided to go to Hopewell to get police. They notified Chief Wolf of the Hopewell police who notified these headquarters. Inspector Walsh of Jersey City, Sergeant Moffett of the Newark police, Lieutenant Keaton of the New Jersey state police and a number of other detectives immediately went to the scene.

"They reported finding the body of a child estimated to be between

1 and 2 years old in a bad state of decomposition, having blonde hair and wearing what appeared to be an undershirt and a flannel band around the body.

Identification Is Clear

"Not satisfied with this as identification the men sent back to Hopewell to the Lindbergh estate to get samples of the undershirt the baby wore and of the flannel shirt the baby had on the night of the kidnaping (March 1). This flannel shirt had an embroidered collar on it. These articles were taken back to the scene and were compared with the clothing found on the body and were matched close enough to afford an identification of the body as that of the Lindbergh baby.

"The statement of William Allen and Orville Wilson says that the body was pretty well concealed by leaves, dirt and brush.

Evidence of Murder

"The skull had a hole in it about the size of a 25-cent piece above

the forehead. There apparently had been an attempt to bury the body face downward. It was in a bad state of decomposition. Mercer County coroner and the county physician were immediately called. The physician is Dr. Charles H. Mitchell. The coroner is Walter Swayze, both of Trenton.

"The body was found about seventy-five yards off the road in the woods."



WILLIAM ALLEN OF N. J.
Man who found the Lindbergh baby after greatest of man hunts.

FINDS DEAD LINDY BABY

COLORED TRUCKMAN TELLS OF MAKING THE GRUESOME DISCOVERY OF WORLD-FAMOUS AVIATOR'S DEAD CHILD, OBJECT OF COUNTRY'S GREATEST KIDNAPING SEARCH

Hopewell, N. J., May 12, 1932 — William Allen, 46-year-old, Colored, took me back to the truck where I delivered the load of blocks I had on the truck I took him to the road where we found the baby. The baby was about 45 feet back from the road. After I showed it to a Charley he went and got some state policemen and I drove my truck back home and went to dinner.

"After I got home, Williamson and I went to the truck where I delivered the load of blocks I had on the truck I took him to the road where we found the baby. The baby was about 45 feet back from the road. After I showed it to a Charley he went and got some state policemen and I drove my truck back home and went to dinner.

"I called Williams (Orville Williams, his companion), and he came into the woods. I said 'I think it's a baby.' He said: 'Well, what are you going to do about it?'"

some plainclothes men came and got to him. Allen, who lives in a plain little house with his wife and five children, When I got there they asked me a lot of questions, like what time I seen the baby and where I seen it and all about it. "Then they brought me back home. He said he didn't want 'no reward for finding the baby'; he just wanted and I ain't had no dinner yet. "I just hope they get the man thato keep his job. did it. Nothing would be too bad to

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Man who found the Lindbergh baby
after greatest of man hunts.

FINDS DEAD LINDY BABY

**COLORED TRUCKMAN TELLS OF
MAKING THE GRUESOME DISCOV-
ERY OF WORLD-FAMOUS AVIA-
TOR'S DEAD CHILD, OBJECT OF
COUNTRY'S GREATEST KIDNAP-
PING SEARCH**

William Allen, 46-year-old, Colored, tonight gave the following account of how he discovered the body of the Linbergh child: 5-14-33

"After I got into the woods, I went under a branch and looked down. I saw a skull sticking up out of the dirt, which seemed to have been kicked up around it. I thought I saw a baby, with its foot sticking out of the ground.

"I called Williams (Orville Williams, his companion), and he came into the woods. I said 'I think it's a baby.' Boston

"He said: 'Well, what are you going

some plainclothes men came and got do to him."

some piano. I took me and took me to Lindbergh's house. Allen, who lives in a plain little When I got there they asked me a lothouse with his wife and five children, what time I seen thejogged the two youngest Allen babies of questions, like I seen it and all aboutslowly on his knee as he related his baby and where I seen it. story.

"Then they brought me back home. He said he didn't want 'no reward and I ain't had no dinner yet. for finding the baby'; he just wanted 'I just hope they get the man thato keep his job. did it. Nothing would be too bad to

"Williamson went and got the state 'I said I guess I'll report it to Onkar police. He took me back to the truck and after I delivered the load of blocks I had on the truck I took him to the road where we found the baby. The baby was about 45 feet back from the road. After I showed it to a Charley he went and got some state policemen and I drove my truck back home and went to dinner."

Wants Better Job

Allen, a quiet spoken man, doesn't care much about a cash reward, but he would like a better job than helper on a truck.

"I feel I'm entitled to some money," he said, "but if Col. Lindbergh has none, but can find me a job, I'll be satisfied. I just hope the police catch the man who killed the baby. He must be a devil."

The Lindbergh Tragedy

The discovery of the dead body of Colonel Lindbergh's baby was the tragic climax of a protracted tragedy. After weeks of anxiety, of fruitless negotiation, of frustrated hopes, it now appears probable that the baby was murdered soon after it was stolen, and that the complicated rumours and counter-rumours that have filled the newspapers and kept the police active were one and all unfounded. Americans are rightly appalled at the crime and are lavish with expressions of sympathy for its chief victims—the baby's mother and father; will they, an outsider might presume to wonder, extend their present indignation into a serious effort to deal with the circumstances that made the crime possible and its perpetrators able to escape detection? It is dangerously easy to deduce the general from the particular, and to fasten on to the tragedy of the Lindbergh baby a moral that is beyond its scope; but, like an inverted Dreyfus case, it has without question served dramatically to illustrate the defects of American civilisation. There have not, it is true, been wanting other illustrations as forcible, and sometimes on a larger scale. Everyone knows that a negro cannot be sure of a just trial in many parts of the United States, and that in Kentucky for instance, and Carolina industrial conditions are tolerated that are extremely brutal and tyrannical. At the same time, putting aside emotional reactions—horror at the callousness of the crime, pity for Colonel and Mrs. Lindbergh,—it remains true that the only social value, then social institutions seldom even in America has the breakdown of law and order in face of organised crime been made so obvious as in the course of events since Colonel Lindbergh's baby was first kidnapped till, weeks later, its dead body was found by chance near to his house. Well-known gangsters have, between their frequent appearances in court, negotiated for the return of the baby;

more respectable emissaries have from time to time announced contact with the kidnapers; the police have been active and the newspapers lavish with space; large sums of money have been paid over by Colonel Lindbergh to persons purporting to come direct from the kidnapers, and of this money notes have been found in circulation; the most fantastic rumours have been put about, denied, and then put about again. Yet all the while this has been going on it looks as though the dead body of Colonel Lindbergh's baby lay a short distance from his house, where those who stole it had hurriedly deposited it after having murdered it. Al Capone, from the prison where he is serving a sentence for falsifying his income tax returns, sent out offers of assistance, and even President Hoover interested himself personally in the affair; but not only have the police failed completely to discover the actual criminals, they have failed even to arrest those unscrupulous persons who, as is now believed, successfully extorted money from Colonel Lindbergh without knowing anything of the whereabouts or the fate of his baby. Various attempts have been made to explain how such things can be in a country that, in a material sense, is amongst the most civilised in the world. It is Prohibition; it is the mixture of races; it is corruption; it is the lawlessness of old pioneering days persisting still; it is the lack of tradition and the restlessness and instability of a people that is not a people. Any or all of these may be, and probably are, contributory causes; but, as "An American in London" points out in an article which we publish this week, the present breakdown of law and order in America is mainly a consequence of the worship of Prosperity. Wealth is a disastrous social value because so much that is bad can be justified by it; when wealth is the only social value, then social institutions collapse and gangsters no less than millionaires become national heroes. It may be that now, in the autumn of her great prosperity, America will rediscover other values and rebuild those institutions the significance of whose decay has hitherto, except by the few, escaped notice.

WHY DID Col. Lindbergh refuse to see the man who found his dead baby? There are those who shrink from the public in the times of deep sorrow and pain. Others absent themselves from those who would cut anew into their pains, and revive a discussion of their troubles. Then there are others who are driven well nigh to distraction by the constant repetition of the same thing. And there are those who want to see nobody in the time of their anguish, no matter what is the character of the message.

Snobbishness and prejudices sometimes play a part.

Truth is sometimes abhorrent and unwelcome; and men do not wish to hear it.

Why did Col. Lindbergh refuse to see the man who found his dead baby? This question should be answered.

It is important to the black man who found the decomposed body of the kidnapped and murdered child, and to the public.

* * *

Since writing the foregoing we have been advised that the New Jersey General Assembly has passed a resolution extending its thanks to William J. Allen of Trenton, N. J., for finding the Lindbergh baby thus ending "the anxiety and uncertainty as to its whereabouts." Congratulations and telegrams have come to Allen from all over the country from prominent people, but not a card nor a word has yet come from the Lindberghs!

New Jersey honors itself in honoring Allen.

Suspect In Baby Murder Cleared; Case 'Collapses'

Brinkert's Alibi Is Partially Substantiated By Negro With Him On April 1

Auto Ride Bared

Companion Of Waitress Located; Ex-Convict Is Still Held For Inquiry

ALPINE, N. J., June 11.—(P)—The fabric of an outwardly promising inquiry cast in progress when Brinkert reached fashioned from the suicide of a Morrow his home, fixed the time of the former's servant woman appeared to be crump-arrival as the night of March 2. ling tonight in the hands of the Lind- Tonight however, Page said the broad- bergh murder investigators. cast was the first announcement of the kidnapping and he felt certain it was the Morrow butler, discredited any link after 10 p.m. on the night of March 1. between Miss Violet Sharpe, the waitress. Inspector Walsh admitted that the de- who drank a deadly poison, and Ernest tails of the motor ride the night of Brinkert, an ex-convict, on the night of March 1 as given by Miller checked with March 1 when the Lindbergh baby was the account of Miss Sharpe. kidnapped.

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Further, police found Ernest Miller He also admitted that Miss Minners's and Miss Catherine Minners who identi- story checked with Miller's story. The fied themselves as Miss Sharpe's com- party went to a grill at Orangeburgh, panions on an automobile ride that near Tappan, N. Y., and returned to En- night. Their joint statements, coupled glewood before midnight. with an alibi from Brinkert, tended to "I cannot understand," said Walsh, clear both him and Miss Sharpe of any "why this woman, if she had nothing to do with the kidnapping, preferred death suspicion whatsoever.

"A chap named Miller," said Inspector Harry Walsh, of the police, "22- years old, of Closter, N. J., has told us that he was the 'Ernie' who went riding with Miss Sharpe the night of March 1. He remembers the ride very well and every- fact that the sister of the dead girl ap- thing that happened on it and says he- lied for a passport visa at Washington cannot understand why she kept it on March 1 to return to England and secret from us.

"Brinkert is remaining here, however, posed kidnapers got \$50,000 ransom This is a peculiar turn of events. It is from Dr. John F. Condon on April 2. no fault of ours. We have not only However, in England, Miss Sharpe's Miller's story, but the story of Miss sister said the police had driven the dead Minners, who was on the ride that night, girl "crazy" by their constant question- She says Brinkert was not in the car." ing. Scotland Yard authorities said they were convinced that the sister, known both as Edna and Emily Sharpe, had Septimus Banks, Morrow butler, whom slaying.

Walsh described as having an "affec- "We shall not be seeing her again," tionate attachment for Miss Sharpe." they said after an inquiry, "and the mat- Shortly after Miss Sharpe drank pri- ter is ended as far as we are concerned." son yesterday because she feared a Police Blamed For

fourth questioning by police, her em- ployer, Mrs. Dwight Morrow, reiterated her faith in the servant woman.

However, police reiterated that Miss

Sharpe had identified a photograph of row home at Englewood, N. J., killed Brinkert, as her companion on the night herself because the police "drove her ride. 6-12-32

"Has Brinkert given any information about the kidnapping of the Lindbergh tendering to link him with the kidnap-baby, her sister, Emily Edna Sharpe, de- ing?" Inspector Walsh was asked. clared today.

"No, not up to this time," he replied, "It's all so cruel," the sister said. "Vio- "but he will remain here for the timelet would never have done anything to being. This thing is pretty much of that child or help one who wanted to puzzle. Our inquiry isn't over. harm it."

"Brinkert denies that he has ever At the time of the kidnaping Emily been in New Jersey. And he denied flatly was working for a New York family. She that he knew Miss Sharpe or her sister. went to Englewood to see her sister who, He said he had never seen them nor even she said, "swore to me that she knew heard of them up to yesterday."

Walsh said a fourth member of the Emily was interviewed as she was leav- automobile party of March 1, an Elmer ing Stourbridge for her family home in Johnson, of Closter, would be ques- Beenham. Her father had summoned her home after learning from police in tioned. Subsequently, Col. H. Norman Schwarz- the United States that Violet killed h- kopl, State police superintendent, said: self yesterday.

Brinkert Statement Promised

"Brinkert is still at Alpine and he has FINDS THE LINDBERGH BABY

agreed to give us a complete written statement tomorrow.

"Miller's statement and previous his- tory will be checked by the investiga- tors."

In another reversal, police found sub- stantiation tonight for Brinkert's alibi that he had spent March 1 at the home of Frank Page, a negro living in Bridge- port, Conn.

Detective James Fitzpatrick and other police questioned Page at length. The negro, recalling a Lindbergh radio broad- cast in progress when Brinkert reached his home, fixed the time of the former's arrival as the night of March 2. Tonight however, Page said the broad- cast was the first announcement of the kidnapping and he felt certain it was the Morrow butler, discredited any link after 10 p.m. on the night of March 1. between Miss Violet Sharpe, the waitress. Inspector Walsh admitted that the de- who drank a deadly poison, and Ernest tails of the motor ride the night of Brinkert, an ex-convict, on the night of March 1 as given by Miller checked with March 1 when the Lindbergh baby was the account of Miss Sharpe. kidnapped.

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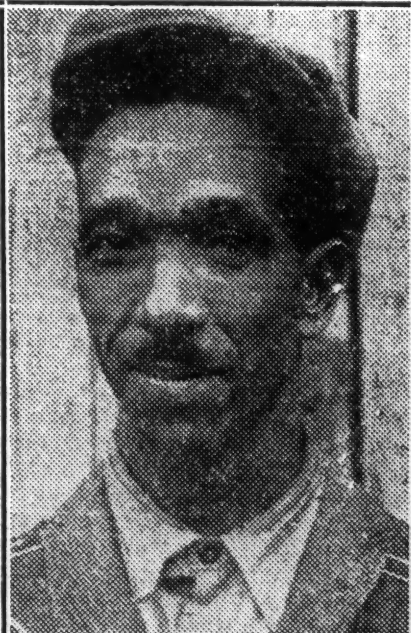
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STOURBRIDGE, ENGLAND, June 11. (P)—Violet Sharpe, maid in the Mor-



WILLIAM ALLEN of Trenton, N. J., who discovered body of kid- naped Lindbergh baby.

FINDER OF LINDBERGH BABY'S BODY IS MODEST DESPITE SUDDEN FAME

Denies That He Was White Man's Helper On Truck; Has Received Offers Of All Sorts Which Will Bring Him Wealth

By Esther M. Harvey

Last week the name of William Allen was un- known. This week, with his discovery of the body of the kidnapped son of Colonel and Mrs. Charles A. Lindbergh, his name is known throughout the entire world. His modest, poorly furnished home at 43 Roosevelt street, Trenton, N. J., since last Thursday has been besieged day and night by newspaper re- porters, cameramen, motion picture men, and last but not least the enterprising businessmen carrying con- tracts and offering money for everything from per- sonal appearances in sideshows to endorsements of this and that kind of soap and cigarette.

Saturday, I called to see Mr. Allen and despite a barrier of silence imposed by his attorney, Max Levine, white, was admitted to the interior of this home, by saying the purpose of my visit was to see Mrs. Allen. Once inside the small story and a half house, one could easily see the evidences of the struggle this now world famous Negro truck- driver has had to keep his poor but happy household together.

I was admitted to the parlor about noon time and for the next four or more hours trying to get an inter- view with her famous husband was about as easy as holding on to a greased pig. Despite the warning issued by Levine, the lawyer, mem- bers of the household did not keep their lips sealed as tightly as he might have wished. But to get back to the story, when I was seated in the parlor to wait for Mr. Allen, I

Mrs. Allen Kept Busy

For the next hour or so while waiting for Mr. Allen to come back, I gossiped with Mrs. Allen and she told me of the struggles she and her husband were going through on his small weekly wage. There are three small children, William, jr., 7 years old; Gerald, 4 years old and Elea- nor, 14 months old. There are three older daughters, Mrs. Helen Driver of Pennington, N. J.; Mrs. Myrtle Whortonberry and Miss Elizabeth Allen of Trenton. Mrs. Allen told me of the exciting day around the house on Friday.

It is time for lunch but before Mrs. Allen can put the food on to cook, somebody knocks at the door

It is a representative of the Bell Telephone Company who has come to offer Mr. Allen a telephone free of charge as a token of appreciation from the company. Mrs. Allen is the mistress so far as the home is concerned and she is the one who will have to answer the telephone which would probably be continuously ringing so she gracefully refuses the kind offer.

Denies He Was Helper

A short while later, Mr. Allen comes back and for the first time I get a chance to talk to him. He said that Orville Wilson, white, who was on the truck with him Thurs-

Offered Money, Furniture, Etc.

Before the door is closed a radio expert comes up the steps with a radio from a well known firm. But who would pour oil on the present confusion around the home by adding a radio. This offer is politely turned down. Then comes the furniture man with an offer to put in a brand new set of house furniture free of all cost. Mrs. Allen turns once more to the stove to be interrupted once more by men from the Fox Movie Tone Corporation, Warner Movie Tone and the Paramount all wishing to have a few minutes of Mr. Allen's time to pose and talk for the movies, for which they promise he will be well paid.

By this time the small children are hungry and sleepy. They follow her footsteps all around the house. She puts the food on the table, they are grateful. About 10 o'clock at night they sit down to swallow a few mouthfuls when a crowd comes in to congratulate Mr. Allen. He has lived in this same neighborhood for three years. They have seen his face every day, but it looks new to them now. They have just noticed a beautiful patch of gray hair about the size of a silver dollar on the top of his head. He is 43 years old but this gray patch seems to have been with him since boyhood.

Engages Lawyer

He refused to discuss what Col. Lindbergh had said to him, but I was given to understand that Col. Lindbergh had requested Allen not to sign any contracts—and the contracts are numerous. There had been one offered him to appear in a sideshow at Coney Island for six months at the pay of \$300 per week. There are other contracts offering him a lucrative vaudeville tour, appearances in the movies, all ranging from \$150 per week up to the \$300 per week sideshow contract. He received so many offers that he engaged Max Levine, white lawyer, to advise him and he is taking all offers under advisement and doesn't know which one he will accept. But in the meantime, William Allen—Negro truck driver whose name is world famous as the discoverer of the body of the world famous baby—goes calmly about his job of driving his truck, rejoicing in the fact that his find has to some extent, eased the minds of the child's broken hearted parents than that it made him overnight the most famous Negro in the world.

Just as Mrs. Allen finished telling me this, Mr. Allen comes in with his lawyer. The detectives tell Mr. Allen that they have come to escort him to Col. Lindbergh's home. The lawyer prepares to go along but the police tell him they will not take him in their car. So Levine stays in the home.

Levine cautions Mrs. Allen and the rest of the family against talking to reporters. He said they had already told reporters too much and had not gotten a nickel for the interviews. Despite this warning, I con-

Baby Finder Still Waits For Word From Lindbergh

William Allen "Hurt"
Because Flyer Has
Not Thanked Him

THOUSANDS of letters have arrived at the humble home of William Allen since that fateful May 12 afternoon when his unwitting footsteps led him to a discovery which ended the suspense of a nation.

Hundreds of letters continue to arrive daily. But the unassuming truck driver still looks in vain for a communication of some sort from the one person who was most concerned with his discovery—Col. Charles A. Lindbergh.

For, although nearly a month has passed since Allen discovered the body of the kidnapped Lindbergh baby on Mount Rose Hill, thereby ending a search which might have entailed a million dollar expense and permanently impaired the health of its two famous and bereaved parents, the truck driver is still without a communication of any kind from the noted aviator or any member of his family. This fact was established by The Amsterdam News Friday in an exclusive interview with the Trenton truckman.

"I know I didn't go in the woods looking for the baby," Allen stated as he discussed the case with a reporter who visited him at the Gram-pion Hotel, where he stopped for two days last week, "neither was I looking for a reward. Had I known the baby's body was there, you couldn't have paid me enough money to go in there and look at it. But the fact remains that I did find the body, and it does make me feel queer not to hear a single word of any kind from the father."

"It ain't that I hold anything against Colonel Lindbergh, for I don't know him. If he walked in this room now I wouldn't recognize him, for I've never seen him a day in my life. But it does make me feel bad not to even get a word from him. It makes me feel like I done something he didn't want me to do. Of course, I know he has been torn up, and I guess I may hear from him when things settle down—but just now, it makes me feel funny."

Turns to Stage.

In the meanwhile, acting on the advice of his employers, the W. S. Titus Housemoving Corporation, Allen has accepted the offers of a theatrical agent and is making personal appearances throughout the country. He has placed himself under the management of William Vail, white, former booking agent for Barnum and Bailey circus and has signed a contract for twenty-five weeks at \$300 a week. His first two engagements were with a burlesque show in Philadelphia and a four-day tour with the aforementioned circus in New England.

Although quite uncertain about his plans for the future, Allen seems quite unmoved by his sudden prominence. In fact, he is quite level-headed about the whole affair. Speaking of the money which he will earn, he grows slightly philosophical:

"I want to educate my children," he says. "I want them to have a better schooling than I got. As for the money, you can bet that I won't throw it in the streets. If I had a million dollars a minute, it wouldn't make my head no sweller than it is now." And his quiet pronouncement of this opinion lends weight to its possibility.

He speaks rather reluctantly of the matter of possible reward—the reward which was broadcast so widely until the discovery and apparently forgotten immediately afterward.

"As I said, I didn't go in the bushes looking for no reward, although I would accept one if they would offer it. I guess I did save them some money. Col. Schwarzkopf (H. Norman Schwarzkopf, director of the search in New Jersey) told me himself that I saved the state a half million dollars by finding the body."

No "Running Around."

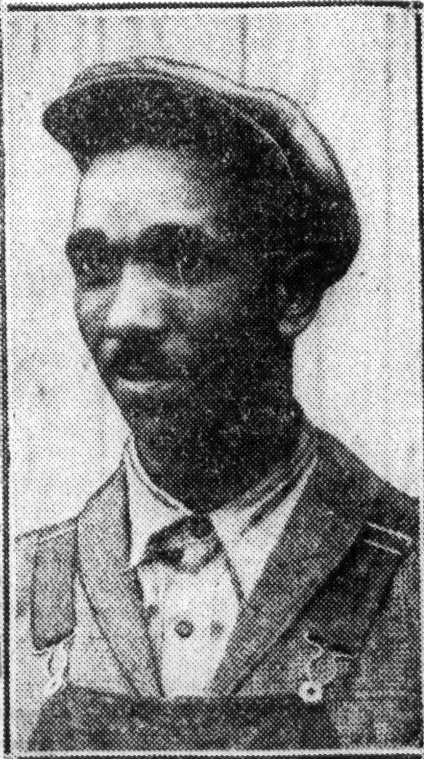
Did he expect to "do" Harlem? "No, I don't do much running-around. I been invited out plenty since I been here but I got my first time to go. A man must be true to his wife if he expects the same thing from her."

Would he go back to his old job when his tour was over? "I don't know. They told me to come back. In fact, it was them who told me to go out and get what I could out of this. Their last words was to tell me that nobody could take my place. I don't worry much about a job, for I ain't been out of work five minutes in twenty-nine years." He will be 43 years old in September and was born

in Buckingham County, Va.

Allen has received other offers from promoters since he signed the contract with Vail. Other agents offered him as much as \$1,000 a week. In the meanwhile, his attorney, Austin Norris of Philadelphia, is working on the reward angle. The state, the Federal government, or even the Lindberghs may finally reward the man whose unwitting actions served to throw more light on the nation's greatest mystery than all the country's organized forces.

If they do, Allen will be made comfortable, and if they don't one feels that the unassuming truck driver will continue on his way, one of the least affected by his important discovery.



William Allen.

Seek to Stop Allen
At Coney Island Show.

Dr. Philip I. Nash, white, president of the Coney Island Chamber of Commerce, yesterday instituted steps to halt William Allen's appearance at a show at the resort where he is telling how he found the Lindbergh baby. Nash said that he would ask revocation of the license of the Hippodrome to stop Allen from commercializing his fame.

Baby Finder Still Waiting For Word from Lindbergh

William Allen "Hurt" Because Flyer Has Not
Thanked Him. Making \$300 A Week
Now... Is Native Of Virginia.

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Offered \$1,000 A Week

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His Act Opposed

Meanwhile, Allen's efforts at capitalizing his fame are not all smooth sailing. When he appeared on exhibition in a Coney Island side show there were loud protests from the police and rival showmen against thus exploiting the Lindbergh tragedy.

Allen, who has had to struggle to support his wife and five children, was recently barred by the authorities of Brockton, Mass., from going on public exhibition there and counting the details of the big discovery of the baby's body.

A movement is under way at Coney Island to have Allen's exhibition license revoked. Dr. Phillip I. Nash, president of the Coney Island Chamber of Commerce, has said he would personally appeal to Brooklyn License Commissioner John J. Bracken for the revocation.

Lindbergh visited Police Commissioner Mulrooney at his New York headquarters on Monday, going there to thank him and his department for their services in the kidnaping case.

Officials Condemn Him

Mayor Baker of Brockton, Mass., characterized Allen's proposed appearance in that city as "contemptible commercialism." and Mayor McGrath of Quincy, Mass., similarly condemned Allen's appearance. The Lowell, Mass., city council recommended that the act be barred there.

When Allen went to New Bedford, Mass., late last month Police Chief S. D. McLeod said his then scheduled appearance on Memorial Day "is a long way from having the stamp of approval, but there is nothing we can do about it unless someone obtains an injunction against his act."

No Reward Yet

Assembly Frank Thavalline of Camden, N. J. said on May 31 that a colored delegation would present to Gov. Moore a petition asking that the state give a permanent job to Allen. When Col. Schwarzkopf was asked if there were any plans for recognition of Allen's connection with the case, he said, "No reward has been posted for the discovery of the Lindbergh baby's body. It is not known whether any such reward

will be posted."

Dr. Simon P. Drew, Washington, D. C. pastor, said he would ask Congress to authorize President Hoover to give Allen a gold medal.

Is Lindbergh an Ingrate?

WILLIAM ALLEN, the truck driver who discovered the body of the Lindbergh baby nearly a month ago, is beginning to feel a little queer because he has had no word whatsoever from Col. Charles A. Lindbergh. "It makes me feel like I done something he didn't want me to do," Allen told a reporter for The Amsterdam News last week.

Allen didn't feel queer about it at first, for he knew how heartbroken the colonel must have been when news reached him that his son had been found dead. Then, too, the spotlight Allen unwittingly turned on himself when he found the baby's body kept him too busy to single out any one thing as the cause of his discomfort.

"The colonel will write me when he gets around to it," he concluded. BUT THE COLONEL hasn't got around to it yet and, as Allen says, he is beginning to feel a little queer about it. Hundreds of letters have poured in to him.

He has been given a twenty-five weeks' contract at \$300 per week to satisfy the curiosity of those who would like to see him and hear his story. He has made it unnecessary for the Lindberghs and his admirers to throw away another \$150,000 for the safe return of the baby, and the State of New Jersey alone has been saved a half-million dollars.

WHAT MANNER OF MAN is this Allen anyway, who wears his fame so modestly and plans to use the money he receives from his stage contract to further the education of his children so as to give them a better opportunity than he himself has had? This truck driver, whose old job is waiting for him when he returns from his tour and who hasn't been out of work five minutes in the past twenty-nine years? The questions answer themselves.

Allen doesn't know what to think about not receiving a letter from the colonel, but he knows he is beginning to feel queer about it. Maybe a man shouldn't be congratulated or rewarded for finding a dead body, least of all by the distracted parents of the victim. Maybe it would have been better if Colonel Lindbergh and his friends had spent another \$150,000 thinking that the baby was still alive. Maybe it would have been better for the State of New Jersey to spend another half-million in a fruitless effort.

BUT ALLEN ASKS NO REWARD from Colonel Lindbergh or anyone else. If one comes his way he would be foolish not to accept it, for he has saved Colonel Lindbergh, his friends and admirers, the State of New Jersey and the public in general a lot of money and worry. Nor does he want to be congratulated by anyone. Allen sees his part in the drama as an accident, purely and simply. That queer feeling he has is nothing more nor less than a natural human desire to know that in making the discovery he didn't do anything Colonel Lindbergh didn't want him to do. It is the most heartfelt expression of condolence extended to Colonel Lindbergh over the tragedy which has befallen him, and only an ingrate would fail to acknowledge it by a letter, by a handshake or by a look of the eye.

Were their Prayers in Vain?



Colored school kiddies joined in the nation-wide prayer services for the safe return of the Lindbergh baby, not knowing that its illustrious father did not want colored help on his estate.

Lindbergh Baby

Discoverer is on Stage Now

PHILADELPHIA—William Allen, the Trenton and Hopewell truckman who found the Lindbergh baby dead, five miles from Hopewell, two weeks ago, has not yet received a word of thanks from Col. Lindbergh nor any of the chiefs of the kidnap case, his attorney, Austin Norris, stated Tuesday.

Further, an investigation of all rewards offered by various newspapers and individuals and later withdrawn were for information leading to the arrest and conviction of the kidnapers, Norris said, and were not offered specifically for the finding of the baby's body.

This makes chances of action to claim such rewards rather slim, it was intimated.

Meanwhile, Allen made his first public appearance before a huge crowd at the Trocadero Theatre here, Monday night. This was his first engagement in a series of public appearances throughout the country in which Allen tells at first hand his experience in finding the baby. His next appearance will be at the Steel Pier in Atlantic City where he is booked to go the last part of the week.

Investigation of Allen's history by the New Jersey State Police announced two weeks ago by Col. H. Norman Schwartzkopf, appears to have come to naught as no further mention of it has been made. Allen,

"LINDY" BABY FINDER GETS BIG CONTRACT

Theatre Circuit Will Take Him From Coast to Coast Telling of Discovery

HOPEWELL, N. J.—William Allen, 46-year-old truck driver of Trenton, N. J., who through the discovery of the infant child of Colonel and Mrs. Charles A. Lindbergh last week terminated an international search for the child, signed a contract for a period of 25 weeks here, in the offices of Attorney J. Austin Norris, 418 S. 15th Street, with a theatrical circuit for appearance in theatres throughout the country.

Attorney Norris represents Allen as legal adviser. He closed the contract after spending last Sunday in New York City in conferences with representatives of large theatrical circuits and in-

terests of national significance.

Allen has been deluged with offers since his discovery of the Lindbergh heir. News reel companies, newspapers, theatrical in-

terests, have literally swamped him with all sorts of propositions. Despite reports of liberal re-

wards having been posted for the return of the baby, dead or alive, nothing definite in this connection has been ascertained. Neither Colonel Lindbergh or any representative of Colonel Lindbergh has approached Allen, offering appreciation for his discovery of the baby. At least up until early Tuesday morning no such appreciation has been ex-

tended him. "I feel that Colonel Lindbergh has just been too busy and wrought up about the whole thing to think about it yet," Allen said Monday. "From what I have heard about Colonel Lindbergh, he is a fine man, holds no racial prejudice, in spite of rumors that are circulating among Negroes, and appreciates the part I happened to play in the discovery of his baby. I am perfectly satisfied that Colonel Lindbergh will let me know of his appreciation when he gets hold of himself. I deeply sympathize with him in

this tragedy and I wish that I could do more for him."

NO REWARD INDICATED FOR LINDBERGH BABY FINDER

TRENTON N. J. — (CNS) —

William Allen, the 46 year old truck driver of this city who discovered the baby of Col. and Mrs. Charles A. Lindbergh, and thereby terminated the universal search and anxiety for the child, saving thousands of dollars to the family and possible millions to the State and national government, has as yet received no word of being rewarded in any way.

He has, however, signed a contract for his appearance in theatres throughout the country. On last Friday night, the day after he found the baby, Allen talked over radio station WPEN. The Philadelphia Independent quotes him as saying:

"I feel that Colonel Lindbergh has just been too busy and wrought up about the whole thing to think about it yet. From what I have heard about Colonel Lindbergh he is a fine man holds no racial prejudice in spite of rumors that are circulating among Negroes, and appreciates the part I happened to play in the discovery of his baby. I am perfectly satisfied that Colonel Lindbergh will let me know of his appreciation when he gets hold of himself. I deeply sympathize with him in this tragedy and I wish that I could do more for him."

Ban From Act On Lindbergh Tragedy

BOSTON, JUNE 10—A CURIOUS ACT WITH WILLIAM ALLEN, WHO FOUND THE BODY OF THE LINDBERGH BABY BOY AS THE PRINCIPAL ATTRACTION WAS BANNED BY THREE MASSACHUSETTS CITIES RECENTLY.

ALLEN'S PROPOSED APPEARANCE IN THEIR CITIES WAS DISCRIBED BY MAYORS BAKER OF BROCKTON AND MCQUATH OF QUINCY AS "CONTEMPTIBLE COMMERCIALISM." THE RECOMMENDATION THAT THE ACT BE BARRED THERE CAME FROM THE LOWELL CITY COUNCIL.

Finds Lindbergh's Baby



THE DISCOVERER of the Lindbergh baby's body, William Allen, is shown in a portrait in his work clothing, and with his wife, children and grandchildren, outside their home in Trenton.

Allen, who was en route from Princeton to Trenton with a truckload of timber, stopped at the top of the hill to allow the truck's engine to cool. Here in the bushes near a large tree he found the skeleton which was later identified as the composed form of the famous son of Col. Charles A. Lindbergh.

After calling to Orville Wilson, white, his helper on the truck, they examined the decaying remains, decided it was the kidnaped child from the color of the hair and the size of the foot, and rushed into Hopewell where Allen notified Charles Williams of the Hopewell Police Department. Williams called his chief, Harry Wolfe, who accompanied Allen, Wilson and the policeman to the scene.

When the party returned to the bushes, the remains were found partially buried in a shallow hole with the face to the ground. Birds or animals had eaten the flesh from around the small frame and fragments of hair were strewn on the body, very little remaining on the head. A hole about the size of a quarter was found in the top of the cranium and only a shirt and band around the ribs remained on the body.

Warning Allen not to mention the discovery to anyone, Chief Wolfe told Allen that he could return to his work. The chief told newspapermen later that he had known Allen for over five years and felt that he could be trusted to do as requested. Allen told the police that if they did not want him before quitting time that they could locate him at his home in Trenton.

After an investigation by the New Jersey state police and a conference at the Lindbergh home, Williams was sent to the Allen home at 5:30 p. m. where he found the discoverer of the famous baby sitting in a chair with his own fifteen-month-old on his lap. Keeping his word, Allen did not even mention the incident to his wife, who heard the story for the first time from the policeman who came to take him to the Lindbergh home.

Didn't Tell Family.

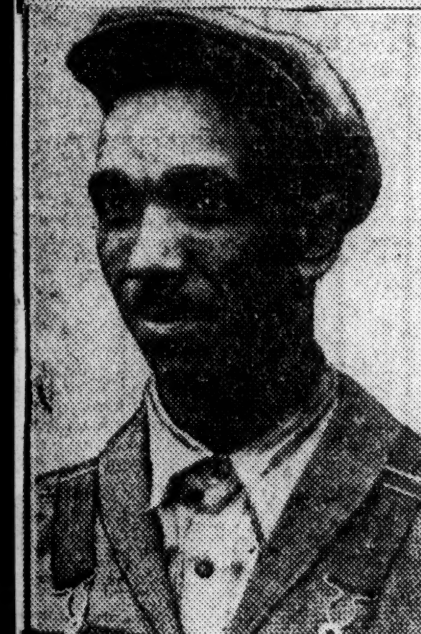
After explaining how he came upon the scene of the crime to a score of police officials and special investigators, Allen led the officers to the spot and re-enacted his discovery. He then returned to the Lindbergh home.

where he remained until 10 o'clock. Reaching his home close to midnight he found his anxious family reading extra editions of newspapers and nervously turning the radio dials in search of further developments.

The slight, unassuming Allen whose discovery gave to the world the fate of Charles A. Lindbergh Jr., reported for work as usual early Friday morning at the garage of William Titus, white, at Marshall's Corner, where he has been employed as a chauffeur for seven years. It was fully an hour before newspapermen and motion picture representatives announced that they had sufficient details of the discovery to inform the entire world and Allen jumped aboard his truck to start the day's routine.

Allen is the father of three children. Mrs. Allen, by a former marriage, has three other children. In 1903 he migrated to Trenton from Buckingham county, Va., where his mother, Mrs. Eleanor Allen, and a brother, John, still reside. When asked about his consideration of an award, he replied that he had not thought of it and was, in spite of the grief and sorrow his discovery has given the parents as well as the entire world, consoled with the fact that he was able to provide some relief.

"At least they know where the child is," he said, "and my only wish now is that the cruel murderers will be apprehended and punished."



Driver Finds Body Of Lindbergh Baby

Amsterdam News 5-18-32
Princeton, Pa.
Unassuming Trenton Chauffeur Reveals Fate of Famous Child—Fails to Tell Wife

of His Discovery

With fate playing the major roll, William Allen, 43, Roosevelt street, Trenton, brought to the world tragic news the kidnaped Lindbergh baby with his discovery of the murder child on Mount Rose Hill Thursday afternoon.

Crime - 1932

WHITE YOUTHS FACE

DEATH FOR SLAYING

Joseph Brown, 20, and Charles Markowitz, 21, both white, face death in the electric chair following their conviction in General Sessions on Thursday of the charge of slaying Sergeant William O'Shaughnessy, white, of the Twenty-eighth precinct. Judge Koenig will pass sentence on Feb. 25.

The youths testified that they were drunk on night of June 9, 1931, when the police officer was slain during an attempted hold-up on a Lenox avenue speakeasy. They did not remember, they said, what happened. O'Shaughnessy was slain when he stepped in to halt the attempted robbery. Brown and Markowitz lived together at 114 West Eighty-sixth street. They were captured after Patrolmen George Scully and Joe Brown, both of whom were off duty at the time, attracted by the speeding car in which Brown and Markowitz sought to escape, pursued and shot it out with the young bandits, severely injuring both.

DENIES SEGREGATION

OF NEGRO PRISONERS

N. Y. Times
Patterson, in Reply to Protest,

Says Races Are Separated

Only Upon Request.

3-31-32

Replying yesterday to a protest of the National Association for the Advancement of Colored People, Richard C. Patterson Jr., Commissioner of Correction, said he had no policy of segregating Negro from white prisoners except in cases where the Negro prisoners themselves requested it.

The association had sent a telegram to Mr. Patterson protesting against his reference to segregation facilities in the new Jefferson Market women's prison on Tuesday. Calling any segregation policy "race intolerance, bigotry and injustice," the organization threatened to fight it through the courts and every other legitimate means.

Mr. Patterson said Negro prisoners in the Welfare Island Penitentiary are kept apart from the whites at their own request while in cell blocks. In dining rooms, chapels, work gangs and other places, he said, all prisoners were together. He recalled the fight last year between white and Negro prisoners over possession of

the penitentiary baseball diamond, and said an investigation by the association at that time had disclosed no evidence of discrimination.

He added that the Rev. George J. Grandy and the Rev. George A. Taylor, Negro chaplains at the Welfare Island Workhouse, had affirmed that there was no discrimination except where Negro prisoners desired it.

NEW YORK TIMES

MAR 31 1932

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NEW YORK SUN

MAR 31 1932

RULES NEGRO HAS EQUAL RIGHT IN JAIL

Bennett Warns Against
Class Discrimination.

ALBANY, March 31 (A. P.).—Attorney-General John J. Bennett Jr. advised the Department of Social Welfare today that no restrictions can be placed on the admission of Negroes to reformatories that would discriminate against the equality of the Negro and white races.

Mr. Bennett's opinion was based on an incident at the New York State Training School for Girls at Hudson, in her behalf. In announcing his decision the Governor said: "I am commuting this sentence from death to life imprisonment as the evidence in the record leads me to believe that the proof of premeditation and deliberation on the part of this woman was not sufficiently established."

At the time the Court of Appeals affirmed the judgment of conviction in this case, Judge Lehman dissented, and voted for reversal on the ground that there was no evidence of premeditation and deliberation.

"It has always been my firm belief that the spirit of the Fourteenth and Fifteenth amendments to the Federal Constitution and the public policy therein declared had become part of our entire political fabric."

"I find myself unable to justify any classification or segregation of inmates for purposes of admission to a State institution by virtue of which discrimination may be possible on the basis of race, color or creed."

N. Y. EVENING POST

APR 5 1932

Two policemen, firing two shots each synchronously, killed a big Negro with three bullets in his abdomen before they interfered, the black man, being stripped, when he crazily jumped from the operating table. This is justifiable homicide; of course, but it would not have happened if the crazed man had been white. Color, like circumstances, may alter cases.

Ruth Brown Saved

From Chair By Governor

ALBANY, N. Y. — Governor Franklin D. Roosevelt, on Monday, saved Mrs. Ruth Brown, 24-year-old Negro, from death in the electric chair on Thursday night of this week. He commuted her sentence to life imprisonment.

Mrs. Brown, with John Dawson, was convicted of killing Eli Huston in an apartment house in the Bronx. The Governor took no action in Dawson's appeal for clemency.

The convicted woman was the mother of a six-year old child, and previous to her arrest for murder, had no police record. Several organizations and individuals appealed to the Governor for clemency in her behalf.

In announcing his decision the Governor said: "I am commuting this sentence from death to life imprisonment as the evidence in the record leads me to believe that the proof of premeditation and deliberation on the part of this woman was not sufficiently established."

The Short Road to the Death House

The Law Forgets Boy
Until He Commits
Serious Crime

By HENRY LEE MOON.

4-27-32

JOHNNY DOE is a kid.

years old. Just an average lad, not bright at all, not thrifty



and industrious; but then not impossibly dull nor bad. He should, of course, be in school. In fact the law requires that he attend classes. But in a little matter like school attendance Johnny has found ways of evading the law, which at this time shows no particular interest in him. Besides he got away for a bad start in the Georgia town where he was born. Moreover, it's no comfortable position for a big, 16-year-old boy to find himself in class with a bunch of seventh grade youngsters. And so Johnny doesn't bother about school and nobody bothers about him.

Not even his mother and father, who, hard pressed to make ends meet, are away from home all day at whatever work they can get. Sometimes the mother is a domestic in white folks' kitchens; sometimes a laundress sorting soiled clothes in a stuffy, steam-filled back room. The father, unskilled, makes out the best he can at part-time jobs. Johnny would like to work, too, to swell the family income. But times are tight and jobs are hard to get.

The home, crowded, foul-smelling and unattractive, is a none too pleasant place to spend one's time. Then, there are the younger kids and a couple of roomers. The city code provides regulations governing ventilation, plumbing and other sanitary measures. But, as Johnny finds it easy to evade the school-attendance law, so the landlord experiences no difficulty in forgetting the existence of the sanitary code.

Out of school, unemployed, housed in unpleasant surroundings, always short of change, Johnny takes to the streets, where he finds similarly mal-adjusted youths in poolrooms, with whom he attends cheap movies and chisels his way into speakeasies dealing in raw gin. What is a boy to do with time on his hands and no intellectual interests?

Of course, there is the "Y," where he might work off some of the surplus energy of youth in games and comradeship with boys of his own age. But why should a boy living in East Ninety-ninth street have to foot

it all the way to West 135th street for a friendly game or a swim? Certainly there is another "Y" nearer, but this nearby Christian institution does not welcome brownskin boys. And, besides, it costs money to participate in the activities of the "Y," and John has to count his pennies. Moreover, a set of "nice" boys will ing to endure a lot of moralizing frequent that rendezvous, and John has none too cordial feelings for "nice" boys.

Boys Get Revolver.

HANGING around a poolroom, John and his cronies tire of singing the hard-luck blues. They need money. An easy way to get money is to take it from others. They know other chaps who have gotten away with it. Armed with a revolver, procured from a pawnshop where questions are not asked, they set out to select a likely victim.

They enter a store in which there are no customers. Two boys serve as lookouts. Two enter, one to cover the shopkeeper, the other to rifle the cash register. It would be easy and they would get away quickly. Others had done it. Unexpectedly the shop-

keeper shows resistance, grasps a missile to hurl at the robbers, and cries for help. Frightened at the turn of events, Johnny, who is covering the clerk, pulls the trigger and lets him have it full in the heart. Halted in his lunge, the shopkeeper staggers forward, blood streaming from a gaping wound, and drops dead at the feet of the terror-stricken boy. Murder has been done.

It is here that the law steps in—the law that had passed unheeded Johnny Doe's truancy from school, that had permitted him to be reared in squalid quarters, barely habitable, that had tolerated speakeasies; the law that represents a society which never before was aware of Johnny's existence.

Law Seizes Slayers.

CARBED in blue coat and brass buttons, the law reaches its long arm out to nab the youthful slayers. It is no difficult thing to do. The boys are not hardened criminals, practiced in the art of evading the law once it really seeks them. They are arrested within a few hours after the murder; two of them in a poolroom, where they were accustomed to hang out, another at his home, and the other hiding in an empty apartment.

Police Commissioner Mulrooney's office demanding the death penalty—an eye for an eye, a tooth for a tooth, and, in this case, four lives for one. These are largely the slayings by amateurs—a frightened boy in a holdup; a jealous man infuriated by the infidelity of his inamorata; a petty gambler irritated by cheating at dice; a tipsy night club habitué made belligerent by too much gin. The gangsters and other killers who deliberately plan their slayings are

not so easily apprehended. No arrest has been made in the infamous Scott-Reed murders. And the slayer of Samuel J. Branch, who was put on the spot last summer in approved gangster style, is still at large.

But Johnny Doe and his companions are dazed by what has happened. They are caught. Carried to the police station, they are questioned by detectives, who, John later testifies, induce a confession through the persuasiveness of an expertly wielded rubber hose. Later they are questioned again by an assistant from the district attorney's office.

"The defendant must, in all cases, be taken before the magistrate without unnecessary delay," according to criminal procedure in New York. Arraigned in the Magistrates' Court on a short affidavit, Johnny Doe and his co-defendants are held for a hearing in Homicide Court. Here the magistrate reviews the evidence submitted by police officers and witnesses and decides whether the defendants are to be dismissed or held for the action of the Grand Jury.

Boys Indicted.

IF THE evidence supports the charge, they are held without bail pending the action of the Grand Jury, which sifts the evidence to determine the presence and degree of culpability. Another opportunity for dismissal of the charge is here presented. But in this case the grand jurors are convinced that the evidence indicates the likelihood of the guilt of the defendants. They are indicted for murder in the first degree while in the commission of a crime.

Appearing before a judge in Part I of General Sessions, Johnny Doe pleads not guilty to the charge. A defendant may not make a plea of guilty to first degree murder in this state. Being without means, the boys have been unable to employ counsel for defense. The court appoints counsel for them and for the first time in the legal procedure they are represented by attorneys who prepare their defense for trial. Usually three lawyers are appointed for each defendant and receive from the state \$1,000 among them.

If no pleas of insanity are made a special jury not opposed to capital punishment and acceptable to the defense as well as to the prosecution is impaneled. The trial opens with an assistant from the district attorney's office demanding the death penalty—an eye for an eye, a tooth for a tooth, and, in this case, four lives for one.

The jury which hears the case may do one of four things. It may dis- agree, causing a mistrial, which necessitates a new trial. It may vote for acquittal. It may convict the defendants of a lesser charge. In such a case as this, however, where murder is charged during the commission of a felony, a verdict in a lesser degree may not be returned. Or it may find the defendants guilty as charged. In the latter instance the

death sentence is mandatory. Though the defendants are tried together, judgment is passed on each of them individually. There are occasions when, with the consent of the district attorney, the defendants are allowed to halt the trial and plead to a lesser charge, as murder in the second degree or manslaughter in the first degree.

Usually a week later sentence is imposed upon the convicted defendant. Meanwhile, the probation department has made a study into the individual's background, his previous criminal record, if any, and the circumstances surrounding the commission of the crime.

Johnny Awaits Death.

SENTENCED to die in the electric chair, Johnny Doe is removed to a death cell in Sing Sing, while, in accordance with the law of the state, his attorneys prepare to argue for a new trial before the Court of Appeals. After a review of the case the Court of Appeals may order a new trial or affirm the verdict of the lower court. If the verdict is upheld, only the governor stands between the prisoner and the electric chair. The governor may commute the death sentence to life imprisonment or he may grant a pardon.

By this time Johnny Doe is more than a year older than he was the day he and his companions set out looking for easy money on a fatal adventure which pushed Harlem's homicide record higher. Denied pardon or commutation, Johnny must pay the penalty which a society, which neglected him all during his boyhood, exacts of a convicted slayer.

Most people can tell you "there's a lot of murder" in Harlem, and that the Negro contributes more than his share to the alarming homicide rate of Manhattan and the entire city. Few, however, can tell you what are your chances for escaping being slain. Continuing today, Henry Lee Moon, staff writer, presents the second of a series of articles graphically describing the growing murder rate among Negroes, what the officials are doing about it, and what you can do about it.

HOW SUSPECTS IN SLAYINGS FARED BEFORE LOCAL COURT

Dispositions in 121 cases of homicide handled during 1931 by the Court of General Sessions of New York county:

Acquittals	34
Convictions, first degree murder	15
Discharged on own recognizance	18
Indictments dismissed	4
Convictions, second degree murder	5
Pleas, second degree murder	6
Convictions, first degree manslaughter	5
Pleas, first degree manslaughter	10
Convictions, second degree manslaughter	9
Pleas, second degree manslaughter	3
Insanity	1
Conviction, assault, third degree, resulting in death of victim	1
Disposed of on plea to another indictment	1
Action abated (defendant died)	1
Bail discharged	8

The district attorney's office keeps no records according to color, but Assistant District Attorney Gonzales, in charge of the homicide bureau, reports that 6 of the convictions for first degree murder and 15 of the acquittals were of Negroes.

2 YOUTHS NABBED AS EXTORTIONISTS

Amsterdam News
**Jamaica Lads Accused of
Threatening Official of
Standard Oil**

Accused of attempted extortion by a Standard Oil vice-president, two 18-year-old high school graduates, one white, are being held without bail, one languishing in prison, while the other is under arrest in Brooklyn Hospital, where he had gone early Friday for an operation.

The accused lads are William H. Duff, a former member of the Jamaica Y. M. C. A. and son of an old Jamaica family of 145-41 South road, and Arthur J. Gaynor, white, 106-38 Union Hall street.

Duff was trapped about 6 o'clock Friday night by Detective Lieutenant Charles Newman while in the act, the police charged, of dictating a telegram over a public telephone in Richmond Hill to James A. Moffett, vice-president of the Standard Oil Company of New Jersey, at his address, 299 Park avenue, Manhattan, directing him how to transfer the money.

The arrest brings to an end a four weeks' vigilance by detectives and the family of the oil executive after the latter received a threatening letter in which was stated that Margaret Moffett, daughter, would be kidnaped. This letter, received May 24, was turned over to Commissioner Mulrooney, who placed two of his crack headquarters men on the case.

Other letters continued to arrive until Friday afternoon, when Moffett was informed that he would receive a telegram that night instructing him how to send \$30,000, the amount demanded. This information was immediately relayed to Detective Newman, who had headed the search.

The detective then got in touch with the telegraph companies and asked them to send an alarm as soon as the first notification of a telegram to Moffett was received and, if possible, detain the sender.

At 6 o'clock the flash arrived at police headquarters that a man was sending a message from the Richmond Hill booth. A radio alarm was immediately broadcast and before Duff could leave the telephone he was apprehended. From him they received the name and address of his companion; as a result, Gaynor's arrest in the hospital followed.

Crime-1932

John Dawson Burns as Gang At Sam Harris' Celebrates Man Who Saw 2 Slain in His Speakeasy "Sets Up" House

THEY burned John Dawson up at Sing Sing Thursday night, *new york*

At exactly 11 o'clock that night, while the specified number of witnesses awaited his coming, Dawson, the convicted slayer of a petty gangster in a Ninety-ninth street speakeasy brawl, was led from his narrow cell, down the gray corridor and into the bleak chamber of death—alone.

Somewhere within the grim walls of the institution a woman lay on a hospital cot and probably braced her nerves for the sudden dimming of the lights—a phenomena which happens only in the movies and not at Sing Sing. This woman was Ruth Brown, a 24-year-old mother, convicted and doomed for the same crime but spared the brutal fate of Dawson when but four days intervened between her and death. Governor Roosevelt commuted her sentence to life imprisonment.

Another cell—but not in the death house—held a third person. He, too, had faced trial for the drunken murder of Eli Huston in Sam Harris' gin-mill at 311 East Ninety-ninth street on May 22, 1931. But, unlike Ruth and Dawson, Theodore Roosevelt Ryan had not known the uncertainty of certain death, for a merciful jury convicted him of first degree manslaughter, and a not-so-merciful judge sentenced him to twenty years behind the bars.

Dies in Four Minutes.

Dawson entered the death chamber at 11:02 p. m. Four minutes later he had been literally burned to death, and the State was satisfied—in his case. Dawson had given his "eye for an eye," but Ruth must spend the rest of her natural life expiating her part in crime, and Ryan may come out into the world again in ten years if the state is satisfied with his behavior.

But even as the state's witnesses were awaiting the coming of Dawson in the death room, another group, many miles removed, was also waiting the "zero hour" when these witnesses were assembled at the scene of the crime—in the dingy dining room of Sam Harris' speakeasy in Ninety-ninth street, in the room in which Charles Spencer was brutally murdered less than three months after Huston was fatally slashed by Dawson.

Included in this group was Sam Harris himself—witness of both of the violent crimes, and the man whose testimony figuratively placed Dawson in the chair. Also, his apartment mate, Theodore Haywood, likewise a witness of two murders and a damning witness against the executed man. Seated in the corner of the room directly opposite the spot where the fatal fight is alleged to have started was Vivian Johnson, paramour of Harris, and the innocent cause of the second slaying.

A slight argument about Vivian's relations with Harris so angered Samuel "Machine Gun Red" Peyton, pal of the murdered Huston, that he turned his pistol on Charles Spencer, a friend of the speakeasy owner, and shot him to death before the horrified gaze of the woman, her lover and Haywood last August. Peyton and Warren "Little Caesar" Mims, alleged leader of the gang to which Huston belonged, are now in the Tombs awaiting trial for the Spencer killing. Police are still seeking Carl "Pee Wee" Leman, another member of the g. z. who was accused with the couple.

Therefore, in this dingy room, from which Dawson began his long march to the death house, this group which had been so closely associated with the doomed man waited. But they were not alone and the assemblage did not bear the appearance of a "death watch." Several other pa-gang and put her evictors "on the trons, including a reporter from The Amsterdam News (incognito, of course), were present, and drinks were plentiful. The Victrola ground out mechanical tunes incessantly and everyone seemed to respond to Harris' repeated command to "have a good time."

Only the steady and excessive drinking of Harris testified to the fact that the execution was probably on his mind—that and a Tuesday's tabloid, which lay open on the sofa in the corner. This issue of the paper had carried the story of Ruth Brown's commutation and sealed the doom of Dawson. One not-gator, including the reporters, who would merely have taken Harris for a basis for a new trial. And so Dawson went to his death at 11:06 p. m. (Standard Time), the minute the prison doctor turned to the warden's secretary and pronounced the final—"This man is dead," Sam Harris had just finished "killing" the quart of synthetic whiskey, which he had put out "on the house." A few minutes later he and his friends left the house, still declaring that they were going to "have a time."

Dawson admitted that there had been bad blood between him and Huston. This animosity existed, he stated, because Huston was a member of "Little Caesar" Mims' gang, and the gang had been persecuting him for some time because of his remarks about them. He further stated that Huston had led at least two attacks of the hoodlums against him, the last of which had resulted in serious injuries to Dawson. He was stabbed several times. On the night of May 22, he contended, Huston resurrected the old quarrel when Dawson, Ryan and Ruth Brown came in the speakeasy for a drink, and during the ensuing fight the gangster was stabbed to death.

Harris told a far different story of the affair and this version, corroborated by Haywood, brought about the conviction of Dawson. According to the death house, this group which had been so closely associated with the doomed man waited. But they became disorderly on the night preceding the killing. She threatened to return the next night with her gang and put her evictors "on the spot."

She returned the next night with Dawson and Ryan. Seeing Huston in the place, the two men, Harris cut mechanical tunes incessantly and everyone seemed to respond to Harris' repeated command to "have a good time."

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death.

Stand: Guard at Killing.

Ruth Brown, according to Harris, then pulled out a knife and urged Dawson to "finish him." Ryan is alleged to have held the rest of the witnesses at bay with a pistol while his companion killed Huston. The trio fled after the slaying and were arrested later by detectives. Defense lawyers were unable to break down the speakeasy owner's story of the murder. So were other investigators, including the reporters, who sought to uncover new evidence as a basis for a new trial.

On Sunday Ruth Brown went forth from the walls of Sing Sing. Handcuffed, she was taken to Auburn to live behind the bars for the rest of her natural life. But John Dawson was dead.



Ruth Brown



John Dawson.

N. Y. TIMES

DEC 6 1932

Topics of The Times

Breeding Grounds of Crime. Five "crime spots" have been charted on the map of New York City in the course of a survey by the State Crime Commission. These are areas in which the problem of youthful offenders, between the ages of 16 and 20, is exceptionally serious. Three of them are on Manhattan Island, and one each in Brooklyn and the Bronx. In nearly all five zones, the survey points out, there has been a recent decline in population.

This is another way of calling attention to the well-known fact that crime breeds in slums, and our slum areas—let us be thankful for that, at least—have been thinning out in the last fifteen years. The one exception among the five crime spots is undoubtedly that centering about Eighth Avenue and 141st Street. It is the Negro district. But even here, though the region is a "new" one for the colored people, it was an old tenement district before they came.

Apprehension is often expressed lest slum conditions reappear in the newer sections. Whatever ultimately may come in the way of physical deterioration, it is gratifying to note that the growing boys and girls have a better chance where they have newer housing. The crime spots are where the rookeries are.

JOURNAL
EAST ST. LOUIS, ILL.

JAN 6 1932

NORTH CAROLINA HANGS
BURGLARS.

A Negro in Winston-Salem, N. C., has been sentenced to die for stealing a pair of shoes that had an estimated value of 25 cents.

Naturally, humanitarians all over the country have been writing letters to court and public officials to save the criminal. It might appease the conscience of many to know that everything is being done that might bring this about. In all probability, he will be incarcerated in some state institution—a public expense from now on.

In North Carolina, a forced entry into a home during the night or between twilight and dawn, the home being occupied at the time, constitutes burglary in the first degree and this offense is one of four felonies punishable by death under the state statutes.

The evidence against the Negro was indisputable and the judge was left with no alternative although the jury recommended leniency.

The law is said to be archaic and unworkable. Yet, its presence on the statute books gives North Carolina one of the lowest felony rates in the country.

Its archaic standing is probably due to the fact that it prescribes capital punishment for crimes that, in many states, are of the police court variety. It would hardly be possible in this state to bring to trial a miscreant who had stolen twenty-five cents. Our judges would scoff at such a travesty. And as a consequence, we tolerate crimes and indulge criminals to the point where society is deprived of liberties and thefts, burglaries, banditry and kidnaping thrive.

A law that acts to prevent such crime, although harsh and a relic of more pious days, is much to be preferred to laws that no one fears, nor everyone respects. The North Carolina statute is too severe for this age, but it is making the state stand out like a Sunday school. And that is something

Alleged N. C. Thief Escapes
Death in Electric Chair

RALEIGH, N. C., Jan. 14. (ANP).—John Moore, who was sentenced to die because he stole a pair of shoes from a room in which a person was sleeping in Winston-Salem, was saved from the electric chair here Wednesday when Governor Gardner granted a commutation of sentence. After reviewing the case, Tyre O. Taylor, executive counsel to Governor Gardner, recommended clemency, which was granted.

Moore was convicted of first degree burglary, which carries a death sentence. The jury in returning the verdict recommended mercy, but such a recommendation has no legal standing in a North Carolina court and Moore was sentenced to die in the electric chair.

When informed that he would not be put to death, Moore smiled with gratitude and expressed his appreciation to his attorneys, the trial judge and others who had sought to save him.

NEGRO CAPTURED
AFTER GUN FIGHT

Escaped Convict From Winston-Salem, N. C., Is Arrested

PAIR WILL BE RETURNED

COCHRAN, Ga., Jan. 24.—After a running gun battle today with Fred Johnson, an escaped Negro convict from Winston-Salem, N. C., in which about 50 shots were fired and in which several officers and citizens participated, the Negro was captured and lodged in jail at Hawkinsville. No one was wounded during the battle, although the Negro emptied his pistol four times at his pursuers.

He is the second Negro arrested in Pulaski county for having escaped the gang at Winston-Salem. Last Friday, Sheriff Jim Hill arrested Kinley Butler, companion of Johnson, and both are to be returned to North Carolina to resume their sentences.

On searching Johnson's room in Negro quarters here today, police found a supply of cracksmen's tools and equipment including some dynamite, nitro-glycerine, fuses, electric switches, torches, a money belt and a radio. Johnson had nearly \$100 on his person when arrested, it was stated.

Not until entirely surrounded by

officers and citizens did the Negro give up. Ira Ragan, armed with a shotgun, halted the Negro near his home after the latter had exhausted his ammunition.

Sheriff Hill stated that he had communicated with authorities in Winston-Salem and that they would come for the prisoners immediately. Both were serving life terms on murder charges, it was stated.

Doomed To Die For
Theft Of Shoes;
Man Escapes ChairPLEADS FOR
MERCY WITH
TEARS IN EYES

North Carolina Governor's
Heart Softens—Grants
Temporary Stay

RALEIGH, N. C., Jan. 14.—(ANP).—John Moore, who was sentenced to die because he stole a pair of shoes from a room in which a person was sleeping in Winston-Salem, was saved from the electric chair here Wednesday when Governor Gardner granted a commutation of sentence.

The case attracted state wide attention and scores of citizens joined with the attorneys for the doomed man in the effort to save him from the electric chair. After reviewing the case, Tyre O. Taylor, executive counsel to Governor Gardner recommended clemency, which was granted.

Moore was convicted of first degree burglary, which carries a death sentence. The jury in returning the verdict recommended mercy but such a recommendation has no legal standing in a North Carolina court and Moore was sentenced to die in the electric chair.

When informed that he would be put to death, Moore smiled with gratitude and expressed his appreciation to his attorneys, the trial judge and others who had sought to save him.

RALEIGH, N. C., Jan. 22.—(CNS).—A personal visit to prison by Governor O. Max Gardner, resulted in a 60-day respite from sentence of death for Ernest Cherring, 22 year old colored youth, twice convicted of murder, and scheduled to be executed last week. Cherring, whose brother Chevis, has already paid the supreme penalty for the murder of an aged postmaster at Kerr, North Carolina, was determined in his declaration of innocence. His brother just before his death had signed a dying declaration to the effect that Ernest had nothing to do with the crime.

The governor's action came at the last moment last Thursday, after he had at first refused to intervene in Cherring's execution early Friday morning. Lawyers appointed by the court to defend the man, and several representative colored citizens, led by Lieutenant Lawrence Oxley, and L. B. Capehart, grandmaster of the Negro Masons of the state, finally persuaded the North Carolina executive to visit Cherring in prison. It was the first time a prisoner in jail made by a North Carolina governor since 1929.

The governor went into the cell of the condemned man late Thurs-

day. Cherring, who had never seen Governor Gardner, did not know to whom he was talking, and felt resigned to his execution the following morning. Sitting in a straight-backed chair facing the governor, the youth's face was ashen brown, the result of living in jail a year and a half. In the cross-examination which followed, the life of the unfortunate man was covered from birth up to the time of the alleged crime.

"Have you ever admitted to anyone that you were guilty," the governor asked.

"No, sir. I'm innocent. I never told no lie about it. Before God, I'm as innocent as any of you in this room," he replied raising his downcast eyes and looking into the faces of the group about him.

"Would you go to the chair with that statement on your lips?" demanded the governor raising his voice.

Ready For Death

"Yes, sir. My conscious is clear. I am ready to go—they've already told me I'll have to go. There is nothing betwixt me and the Lord Jesus Christ." The governor interrupted him. "Do you know who you are talking to?"

"No sir," responded Ernest, surveying his questioner inquisitively. "Have you sent anyone to see the governor?"

"No sir, but I wrote him a letter." The letter, he said, was sent in November just before he was saved from the chair then by the reprieve that fixed it so that Chevis would die first in order that his dying statement might be available in the disposition of Ernest's case.

"What did the letter say?" "I asked him to spare my life so I wouldn't suffer death for something I didn't do," said Ernest. The man again burst into protestations of his innocence, this time indicating a spirit of resignation to his fate, stating that he had already suffered much during his long stay on Death Row.

Details Suffering

"How do you mean suffered?" inquired the governor, "haven't they fed you—taken good care of you?" "Yes sir," responded Ernest, "but I couldn't eat. I couldn't sleep much."

"Didn't you sleep last night?" "Not much all this week, and I couldn't eat anything. I haven't eaten anything since Tuesday when they brought a piece of rabbit," said Ernest, the tears he had been struggling to hold back finally overflowing and he raised his hand to brush them away.

"Well Ernest," said the governor,

"you're not going to die tomorrow. We are going to investigate further and see if you are telling the truth."

"Thank you, thank you, sir, thank you," mumbled the condemned man, his sense of expression by the overwhelming impression of the statement.

GREENSBORO, N. C.

RECORD

JAN 9 1932

A Mental Defective.

The negro, Asbury Respus, who, "by due process of law," went to his death in the chair at Raleigh yesterday for the murder of a Guilford child, was surely not normal mentally. At least there is the most convincing evidence to prove there were many times when he was not accountable for his acts.

The negro owned to killing eight persons, though he said he couldn't even remember the names of some of his victims. He confessed the murder of the Guilford child, and an expert testified that Respus, at the time of his trial for this crime, was sane to the extent of being capable of telling right from wrong. The Record is not disposed to doubt this fact.

Yet, evidently there were times when Respus committed murders when he was not mentally responsible. He said seven of his killings were committed while he was "in a spell." He blamed these "spells" on a childhood fall which he said injured his head. This story must be taken with a grain of salt. But aside from his statement, his criminal record, repeatedly published, proves there were times when he was insane.

Once, prior to his last incarceration in state prison, officials say the negro became "criminally insane" in prison. An insane person is not responsible for his acts, hence, in a technical sense and in the eyes of the law the acts of an insane person could not be construed as crime. But that is mere play on words.

Many wonder if the same law should be made to apply to persons of normal minds and to persons, who like Respus, are, or at least at times, are abnormal mentally.

Respus' criminal career proves men of his type should not be per-

mitted to remain at large to prey on society. But it seems society might devise some means other than death for dealing with persons who are "sane" one moment and "insane" the next.

GREENSBORO, N. C.

NEWS

FEB 14 1932

INERASABLE STAINS.

Jake "Sunshine" Jones, 18-years-old negro, has been sentenced to the electric chair for the murder of a Wake county filling station attendant, as was generally expected. While the evidence against the young defendant was strong, convincing, it was not without its indictment of the state which had arraigned him at the bar of justice.

A defense witness, qualifying as an expert from the University of North Carolina, declared the negro had the mind of a "nine or ten year old child." But it was the testimony of L. L. Boyd, head of the Morrison Training school, where Jones had been confined in 1928, which left the most damning impression. Summarized by the Raleigh News and Observer, this testimony was to the effect that the witness considered the youth of low mentality and unable to distinguish between right and wrong and that four years ago he recommended that Jones be confined either in the Goldsboro negro asylum for the insane or in state's prison, as he considered him too dangerous to remain at the training school.

Yet in the face of this recommendation, however much it may have been disputed as alienists, so far as the Daily News recalls, have rarely if ever agreed, Jones was given his release to wreak whatever mental defections he may have had upon society, even allowed to go into conditions which virtually invited crime. The case, in some respects, although it is based upon deliberate action rather than upon a chance occurrence in which negligence may have figured, resembles the Asbury Respus atrocity, as the Guilford county slayer and attacker had once been safe in the custody of the state, where his mental depravity and criminal instincts were obviously known, only to escape and carry on his fiendish exploits almost

within the shadow of the capital. North Carolina's failure in the handling of these two criminals, the indifference or laxity which it exhibited towards their incarceration once it had them in its charge, cannot be easily forgotten because of the costly toll which it has taken.

The state may blot out the lives of those who become murderers after slipping through its fingers, but the stains upon its hands are likely to prove ineradicable.

RALEIGH, N. C.

NEWS OBSERVER

FEB 14 1932

CASE FOR INVESTIGATION.

Kinston Free Press.

If the Negro youth sentenced to the electric chair in Wake county yesterday is of as low mentality as Dr. Knight, of the University, thinks, and if it is true that it was recommended by the superintendent of the Morrison Training School while the boy was an inmate there, that he be confined in the Goldsboro Negro asylum, the State will do itself no credit to carry out the sentence of the court. It appears to be a case for executive investigation.

RALEIGH, N. C.

NEWS OBSERVER

FEB 23 1932

EXCEPTIONS

The Texas press is revelling in patriotic congratulations on speedy justice.

Within a week after the crime of murder was committed, a Negro was arrested, tried, convicted and sentenced to death.

North Carolina, too has had such manifestations of high speed criminal procedure. Invariably they have been significant not as illustrative of any trend toward the obliteration of the law's delays but in striking contrast to prevailing custom.

Without knowing much about the merits of the Texas case but remembering like instances of free wheeling justice in North Carolina, we are forced to observe the complete absence of the elements of speed when indictments involved persons of wealth or influence.

What we want in criminal procedure is no necessarily speed—and certainly not such speed that will jeopardize a proper defense—but weeding out of the technicalities and continuances by which court actions involving persons of importance are stretched over unwarranted months of frustrated justice.

The importance attached to the Texas exception to custom tends to prove a rule, but it is the distinctly unworthy rule that the law

sometimes shows a very eminent respect for persons.

Chattanooga, Tenn.

NEWS

FEB 24 1932

The Least of These

A FRIENDLESS, ignorant Negro youth sat in the death cell of the North Carolina penitentiary a few nights ago awaiting execution on the following morning for murder of a white man. His brother had been electrocuted last December for participation in the same crime.

The Spartanburg (S. C.) Herald tells how the Negro suddenly received a summons to the warden's office. There he confronted a tall, broad-shouldered serious-faced man who said he wished to talk to the doomed youth.

For a half hour, the questioning went on and the tall man finally asked the Negro: "If you were sitting in the death chair, would you still deny that you committed this crime?"

"When I die in the morning," said the Negro. "I'll die knowin' that I'm innocent. I've never killed a man in my whole life. The worst thing I ever done was to fight with other Negroes. I'm innocent but the governor's done said he ain't goin' to stop this, so I'm ready to die in the morning."

The tall man, says the Herald, had already been told by various court officials that the Negro's brother had implicated him when first arrested, but while he sat in the electric chair had admitted that he had lied: that his younger brother had not taken part in the crime. However, the young Negro had no friends, and he was awaiting death.

The tall man arose from his chair, and said, briefly, "I am going to investigate this case thoroughly. You shall not die tomorrow morning."

The man was the governor of North Carolina, O. Max Gardner. He had heard rumors that the humble, friendless, Negro youth might be innocent, and he broke into his busy day to visit the penitentiary and personally to question the condemned man. He had first announced simply that he would not

interfere, but he began worrying about the case and he visited the penitentiary. We heartily indorse what the Spartanburg Herald says about the case:

No matter what may be the final disposition of this case, it is refreshing to find a chief executive of a commonwealth laying aside onerous state duties to consider seriously the impending execution of "one of the least of these." It must be a source of deep satisfaction to the man in the street to know that men in exalted positions still think of and sympathize with the humblest in trouble. It is of such stuff that great leaders are made.

There were no influential politicians to plead this Negro's cause, no powerful friends to intercede for him. Only the conscience of a governor intervened. Such acts as Gov. Gardner's go far toward changing the opinion in Northern circles that the friendless Negro, facing doom, has no chance in the South.

Crime - 1932

RALEIGH, N. C.
NEWS OBSERVER

MAR 5 1932

CAPITAL PUNISHMENT.

To the Editor: I think one of the needs of the world today is for more attention to facts, and the following is submitted as an illustration.

North Carolina in 1931, had 376 homicides, meaning that 376 persons were accused of killing another human being. There were 1,600 deaths from "other than natural causes," and 376 of them were caused by human beings killing one another.

The extreme punishment for killing a person is death and in thus "upholding the majesty of the law" as it has been called by a high official, there were in 1931 nine inflictions of the death penalty in North Carolina, and all nine of the victims were Negro male imbeciles. Seven of them were for murder, one for rape and one for burglary. All had been in the custody of the courts previously and four of them had been in the penitentiary. The State apparently had carefully nurtured them for the final offering.

How much effect as a "deterrent" do you suppose applies to the 250 white killers, by putting to death nine Negroes of inferior mentality? We do not have capital punishment for women of any color, nor for white men, nor for anyone with normal intelligence.

The casual newspaper reader perhaps has a hazy idea that in the State of New York there are numerous killings and executions every day. The official records show approximately 600 homicides in 1931, not half as many as North Carolina per capita. In the same year there were 12 inflictions of the death penalty (for murder only), and of the 12, three were Negroes and nine were men of foreign extraction.

The State of Kansas does not have capital punishment, and a year ago defeated a movement to reinstate it. In 1931, in Kansas there were 153 homicides, as compared to North Carolina's 376.

And yet we have conventions (of speeches) for law enforcement and many sonorous declarations about "the majesty of the law," and no one does anything about it, and public officials feel no responsibility whatever for the absence of law enforcement, other than the call for vain words and professions!

BRUCE CRAVEN,

Trinity, N. C.

GREENSBORO, N. C.
NEWS

MAR 7 1932

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Trinity.

BRUCE CRAVEN.

LOUISVILLE, KY.
TIMES

MAR 8 1932

NO RACE FRICTION REFLECTED IN LOUISVILLE HOMICIDE STATISTICS

According to The Associated Negro Press twenty-five Negroes have met death by criminal violence in Louisville since last September. A local paper published, by, and for, Negroes, finds that there have been thirty murders or "killings" during that time.

Of them, the paper says, twenty-five were Negroes, killed by Negroes. Three were whites, killed by whites. One was a Negro whose slayer has not been identified and one was a Negro killed by a white man.

The number of killings is deplorable, of course, but there is a certain measure of consolation in the statistics from one point of view. They do not reflect race friction.

CHARLOTTE, N. C.
OBSERVER

MAR 5 1932

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absence of law enforcement, other than the call for vain words and professions!

Trinity, March 2.

BRUCE CRAVEN.

fewer Negroes In
Insane Asylums and
More in Prison

RALEIGH, N. C. — (CNS) — Figures made public here revealed 6,056 Negroes as contrasted with 7,512 whites in State supported penal or insane institutions. The distribution of these persons was reported as follows: In state prisons, 4,240 Negro men and 75 colored women. In the same institutions there were incarcerated 2,989 white men and 81 white women. Women outnumbered men in state insane hospitals, there being 1,001 colored women and 825 colored men confined, and 2,800 white women and 2,142 white men in such asylums.

Arrest White Man Who
Terrorized Students

FAYETTEVILLE, N. C. — (ANP) — James Cope, white, has been lodged in jail here after being arrested for terrorizing the teacher and pupils of a colored school while he was on a drunken rampage.

He is alleged to have taken a gun and put on a mask before he entered the school and took charge of the classroom.

In one room where a lesson in mathematics was being taught, he ordered the children to their seats and proceeded to work out the blackboard problems to his own satisfaction.

N.C. Governor Stays Execution Of Lad In Shadow Of Chair

grim history of capital punishment.

Here was a Negro lad twice convicted of a heinous crime, his conviction twice upheld by the State Supreme Court, but who, according to the last statement of his brother, Chevis, who was electrocuted for the same crime here, he ordered that the execution of Ernest Herring, 22 year old Sampson County lad, be stayed for sixty days.

On the morning of the day preceding the date set for the execution of Ernest, a delegation of Negro ministers representing the State Ministerial Alliance, visited Lieut. Lawrence A. Oxley, state director, Division of Negro Welfare, and urged that he take some action which would prevent the electrocution of what some of them felt was an innocent man.

Lieut. Oxley immediately arranged for a last minute hearing before Tyre Taylor, state pardon commissioner. This conference was held at the Capitol the afternoon of the same day. At this hearing Lieut. Oxley and Rev. George A. Fisher acting as spokes-

men, pleaded for the life of young Herring. After listening to these pleas the pardon commissioner stated that as much as he regretted to inform the group, the governor had decided that Herring should die the following morning.

The delegation then returned to Lieut. Oxley's office, where further plans were discussed looking toward saving the life of Herring. A long distance telephone call was made to the defense attorneys, Henry Grady, Jr., and Algernon Butler, at Clinton, following which Lieut. Oxley arranged for a final hearing the same afternoon before Governor Gardner. At the hearing before the governor, Butler and Grady, attorneys for the doomed lad, pointed out Ernest had been convicted on Chevis' testimony as to his guilt, in fact both trial judges in their charges instructed the jury that without Chevis' testimony they would have to bring in a verdict of not guilty against Ernest. Chevis' dying statement repudiated that testimony, leaving nothing but circumstantial footprint evidence which was at best flimsy, and there were those who expressed themselves strongly that a man of Chevis' mentality would not lie on the brink of death.

CHARLOTTE, N. C.

NEWS

MAY 2 6 1932

The Police and Their Too-Ready Pistols.

Yesterday a negro dashing down East Fifth Street after having stabbed a man who had chased him for stealing a pair of shoes was brought down by a bullet from a police officer's pistol.

The negro was not seriously hurt, neither, fortunately, was the man he had assaulted. And while it may or may not have been the officer's bounden duty to shoot him in order to prevent his escape, while it may have been a case of using firearms legally, which is questionable, there can be no doubt as to the officer's bad judgment.

East Fifth Street usually is not crowded with people like a number of those streets which adjoin it. At two o'clock in the afternoon it may have been relatively deserted. Even so, we daresay there were some people about and quite a few within range of a bullet.

Of course, if the officer never misses and if his aim is accurate enough to insure only a wound instead of an official execution it puts a different light on the matter. But here and now we frankly state that if a wrongdoer ever dashes in our direction and is certain to escape unless somebody shoots him down, we shall find the nearest hole in the wall and pray that he gets away.

WINSTON SALEM, N. C.

SENTINEL

MAY 3 1 1932

Sometimes Justified

A North Carolina superior court judge has criticized, from the bench, policemen who are "too free to use their pistols." His criticism is in order, but its timing was not exactly the best, as related to circumstances in the case which was being heard at the time the comment was made.

In this instance, Winston-Salem policemen brought to the court a negro who had been detected in the act of robbing a house. The negro jumped from a second-story window and refused to heed the officers' commands to halt. The policemen had no way of knowing, at that time, whether the thief had obtained valuables or whether he was fleeing empty-handed.

Be that as it may, the officers gave chase, and a long and trying run it was. The fleet-footed negro led them over hills and hollows, through woods and fields, in a downpour of rain that hampered the policemen with their loads of equipment. Shots were fired in an effort to scare him to a halt, but this plan was unavailing. Finally, a shot was directed a little nearer him and struck his hand.

That did not stop him, though, and it was not until he had run into a private residence, badly frightening the occupants, and being driven out, that he finally took refuge in the rafters of a garage, where he was captured, with much difficulty. The negro carried a knife in his hand and resisted arrest until the last moment.

This particular offender was not actually under arrest at the time the shots were fired at him. He had not actually broken from the grasp of the officers. But he had refused to heed their commands, as he jumped from the house and as he wended his way over the long chase.

As stated above, the officers did not know what valuables the housebreaker was carrying with him and they were obliged to resort to strenuous measures to capture him. They would have been severely criticized and condemned had they allowed him to make his get-away.

The policemen were dealing with a desperate man. They knew it. But they gave him every opportunity to submit to arrest, as was their duty, and he chose to take his chances in running. That they fired bullets near him, and one shot struck him, is not a subject of condemnation in this case, as we view it. Various eyewitnesses were on the scene and realized the seriousness

of the circumstances in which the officers found themselves.

Peace officers should not resort to their weapons unless such aid is absolutely necessary. But they are provided with these accessories for use in times of need. Dealing with a desperate man, who is resisting arrest and probably can and will offer bodily harm to those who are trying to protect the public against him, is an occasion when use of weapons probably is in order.

Halt Execution of Colored and White

RALEIGH, N. C.—A double election in which a colored and a white man would have gone to death in the same chair during the same day, was averted here Thursday, when the Governor granted the colored man a commutation, and the white man was given a reprieve.

The colored man, Bennie Griffin, had been sentenced to death for the slaying of another during a quarrel over liquor and his lawyers contended that he was not premeditated and therefore, second degree. The white man was the first of his race to come so close to the chair in two years. Had the two been executed the same day it would have been the first time in the history of the state.

Winston-Salem, N. C., Republic Thursday, November 24, 1932. ROES ORGANIZE TO FIGHT CRIME WAVE.

Taking note of the fact that Winston-Salem is fast becoming known as the "Chicago of the South" on account of the many murders committed here among the colored race and other crimes stalking abroad among the race, representative negroes of Winston-Salem Sunday afternoon met in one of the negro churches and planned a program to stamp out if possible the serious crime wave now about to engulf the younger portion of their race in the Twin City.

Many talks were made by representative negroes and as a result an organization was perfected to be known as the "Anti-Crime League" with the following officers: Dr. R. S. Hairston, president; H. V. Price, vice-president; C. T. Woodland, secretary and Harvey Morgan, treasurer.

The league adopted the following program:

First, to inform the board of aldermen and other proper authorities of the purposes of the league, as indicated in resolution form.

Second, to see that the compulsory school law is carried out.

Third, secure an additional negro probation officer, preferably a man, to check more closely, to observe and to contact negro delinquents.

Fourth, secure addition to the local police force, at least two negro officers, by which, it is thought, notorious criminals and crime resorts, the breeding places of crime, can be largely eliminated.

Fifth, secure a reformatory under the administration of an efficient staff with an objective to reform and reclaim rather than merely punish.

Sixth, secure appointment of a "secret six," who will give information concerning criminals and crime resorts.

"In making the above recommendations resulting from our very careful and objective study," a statement issued after the meeting said, "we are not unmindful of the fact that the city is heavily burdened financially and to make our recommendations effective would necessarily entail additional expense. But we are convinced that the expenditures necessary would be rigid economy in that various studies have proven that the prevention of crime and its subsequent affiliations are cheaper than attempting to cure."

The next meeting will be held Sunday afternoon, November 27, at St. Paul M. E. Church, at 3 o'clock, and all of the citizens interested in the city are asked to attend. The organization went on record praising Judge Stack and his method of dealing with criminals and law enforcement at the last sitting of the superior court in this city.

Crime - 1932

Exit Black Aggie

By LISBETH PARROTT

North Carolina State Board of Charities and Public Welfare

BLACK AGGIE is out of a job in North Carolina. For many years Black Aggie has flourished as standard equipment for the muscular convict camp boss. Now the old time boss has lost his job and so has the cat-o'-nine-tails.

For the past year, ever since the North Carolina legislature transferred to the State Highway Commission the maintenance of county roads and the control of some forty-five hundred road-gang prisoners, the work of displacing the discredited county prison camps has moved steadily forward. When the reorganization is completed some seventy district road camp uniform in general plan will have replaced fifty-odd county chain-gang camps. Under the law the plan of these new camps must be approved by the governor, the State Board of Health and the State Board of Charities and Public Welfare. Medical facilities must be provided; races must be segregated and men must be classified on the basis of conduct and on the type of labor for which they are fitted. Some of the better county camps have been taken over by the Highway Commission and are being utilized.

With the establishment of the state camps survivals of the old system are slated to go, along with Black Aggie. The rolling human cage, once widely used and still existing in three or four camps, is rolling out of the picture, giving place to sanitary, fireproof quarters. Into these narrow iron-barred cages as many as forty men were sometimes crowded. Only a canvas drop protected them from the weather. Tiers of rough bunks lined the sides. Sanitary conditions were unspeakable. The hated log-bunk camp is already gone. This was a makeshift affair of rows of logs on which bedding was thrown, with canvas for a roof. Long chains, passed through the prisoner's anklet were secured to the end-logs so that the men were strung together like beads.

Flogging was abandoned at the North Carolina State Prison in 1923, but the Prison Board had no authority over county camps and this form of punishment continued in the chain gangs unless local authorities intervened, as they sometimes did. No one has ever known the extent of brutality in the worst of these camps though court trials have occasionally pared horrifying cases of the most ingenious cruelty.

Even after the county prisoners were taken over by the state, flogging occurred in the camps, the rules and regulations for which had not been formulated. Then rumors of brutalities hastened the hand of the state authorities. At a conference which included among others the governor, the commissioner of public welfare, the chairman of the Highway Commission and the superintendent of prison camps, temporary rules were adopted which peremptorily forbade flogging. Permanent rules will later be drawn up by the Highway Commission subject to the approval of the governor and the State Board of Charities and Public Welfare.

Meantime Black Aggie has gone into well-merited retirement from which it is safe to say she will never emerge.

North Carolina.

SPEAKING OF CRIME

JUDGE A. M. STACK presiding in Winston-Salem (N. C.) Superior Court commented recently upon crime conditions among Negroes of that city, calling attention especially to the high homicide rate. The court pointed out that Negro leaders should do something to check what he termed a reckless disregard for human life among the criminal element.

Judge Stack's comment and his challenge to Negro leadership are both timely. A group of teachers engaged in the study of educational sociology through an extension course offered by the Winston-Salem Teachers College issued a carefully considered statement setting forth what the group considered to be four of the main causes of the increase and high prevalence of crime. They are, in condensed form:

1. Great majority of homicides perpetrated by floating element of population not identified with Winston-Salem Negro citizenry socially or religiously.
2. Most of these situations occur in localities that are described as lawless, where types of business and private homes are hourly in almost open practices which are contrary to prescribed law.
3. In such localities as described above police surveillance is scant.
4. During 1931-32, 36 Negroes have been murdered and in almost every case the assailants were apprehended but not one out of that number received the maximum sentence. We wonder sometimes what really constitutes first-degree murder.

The teachers' analysis of the crime situation must have impressed Judge Stack and other law officers in Winston-Salem. It sets forth the true status of a situation that exists, not only in Winston-Salem, but in Norfolk and in every other Southern city.

Particularly do we wish to draw attention to paragraphs two and four. The Winston-Salem citizens might have just as well called a spade a spade and substituted the word bootleggeries for "types of business and private homes." In Negro sections of Norfolk liquor is openly sold with the knowledge of members of the police department. Policemen are familiar with these places; they occasionally raid them, but they do not break them up. They know that liquor is sold illicitly in Negro residential sections, and they know by whom and when. If the police in Norfolk and Winston-Salem honestly en-

forced the law there would be less minor crimes and less murder.

This paper has frequently called attention to the excessive leniency of juries toward Negroes who kill other Negroes. As pointed out by the Winston-Salem citizens, we also "wonder sometimes what really constitutes first-degree murder." If courts regard the taking of Negro life lightly Negroes themselves are thereby afforded the best possible incentive to so regard it.

When we leave the home, the school, and the church we are helpless to prevent crime, except with the strict cooperation of the police and the courts. It is timely for a court to call attention of Negroes as a group to the high prevalence of crimes in the record, but it is more pertinent for the law enforcement authorities to do their whole duty.

Raleigh, N. C., Monday, December 12, 1932

DEATH IS NOT RACIAL

From the executive counsel comes news that the two white men, included in the group of four on Death Row at the State Prison who were to be electrocuted next Friday, may escape the chair. One of them, on the basis of his mental status, has been saved from the death sentence by commutation, and the second has been reprieved for further investigation of his mental status.

The two Negroes, according to press reports, have "little chance of clemency."

The executive counsel and the Governor have undoubtedly given the four cases that thoughtful scrutiny which any man should give when he holds human life in his hands. The two white men may be mentally deficient, and the two Negroes may be mentally sound.

The fact should be kept in mind, however, that the only study of capital punishment ever made in North Carolina shows that of the convictions for capital crimes in the State 54.4 per cent. of all the Negroes so convicted are electrocuted, while only 25.5 per cent. of the whites are electrocuted.

It may be that the Negro criminals are of a higher mental capacity than white criminals on Death Row. If so, it would be a striking fact. Certainly, however, the Negro criminal should be given equal deliberation as to his mental status. One level of intelligence, or lack of it, should be held for all.

North Carolina should look carefully at the fact that of all white and black criminals con-

victed for the crimes for which the State exacts the death penalty a Negro has a 50 per cent. better chance to die.

Greensboro, N. C. News

Wednesday, December 14, 1932

COLOR AND THE LAST MILE.

The Daily News, moved to meditation by the announcement that two white men doomed to execution at state's prison next Friday might escape the electric chair on account of their mental status while two negroes, awaiting a similar fate, stood "little chance of clemency," finds that the Raleigh News and Observer, considering the same situation from a more or less death chamber side seat, literally takes the words out of its mouth in a bit of editorial comment.

There is no intention of saying that the two white men are not mentally unsound or the negroes who are awaiting execution are not possessed of their full faculties. However that may be, it is borne out by official figures that chances of escaping the chair are considerably in the white man's favor. Perhaps it is because the whites have more friends, greater influence and outside contacts which develop or arouse interest in their cases, while no one in particular cares or interests himself in a negro who waits on death row. Without attempting to explain the contributing factors, our Raleigh contemporary makes this pertinent observation:

The fact should be kept in mind, however, that the only study of capital punishment ever made in North Carolina shows that of the convictions for capital crimes in the state 54.4 per cent of all the negroes so convicted are electrocuted, while only 25.5 per cent of the whites are electrocuted.

And that launches a trend of thought which, among its ramifications, includes the News and Observer's reminder that death is not racial and the recollection that any number of negroes of exceedingly low mental stature, which may or may not have been higher than that of white murderers who were spared, have shuffled down the last long mile without executive interference.

WHITES ESCAPE EXTREME PENALTY, NEGROES PAY

Birmingham Reporter

RALEIGH, N. C., Dec. 22. (ANP)

—Attention is directed, from an important source, to the fact that whites in the State of North Carolina escape

extreme penalties through the invocation of technicalities and that Negroes are deprived of the benefits of these loop holes, in an editorial published this week in the News and Observer of this city, of which Josephus Daniels, the former secretary of the navy, is the publisher. The editor comments as follows:

"From the executive counsel comes news that the two white men included in the group of four on Death Row at the State prison who were to be electrocuted next Friday may escape the chair. One of them, on the basis of his mental status, has been saved from the death sentence by commutation and the second has been reprieved for further investigation of his mental status.

"The two Negroes, according to press reports, have 'little chance of clemency.'

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"North Carolina should look carefully into the fact that of all white and black criminals convicted for the crimes for which the State exacts the death penalty, a Negro has a 50 per cent better chance to die."

Asheboro, N. C. Courier

Thursday, December 22, 1932

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North Carolina should look carefully at the fact that of all white and black criminals convicted for the crimes for which the State exacts the death penalty a Negro has a 50 per cent better chance to die.—News and Observer.

**RALEIGH, N. C.
NEWS OBSERVER**

DEC 12 1932

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The executive counsel and the Governor have undoubtedly given the four cases that thoughtful scrutiny which any man should give when he holds human life in his hands. The two white men may be mentally deficient, and the two Negroes may be mentally sound.

The fact should be kept in mind, however, that the only study of capital punishment ever made in North Carolina shows that of the convictions for capital crimes in the State 54.4 per cent of all the Negroes so convicted are electrocuted, while only 25.5 per cent of the whites are electrocuted.

It may be that the Negro criminals are of a higher mental capacity than white criminals on Death Row. If so, it would be a striking fact. Certainly, however, the Negro criminal should be given equal deliberation as to his mental status. One level of intelligence, or lack of it, should be held for all.

North Carolina should look carefully at the fact that of all white and black criminals convicted for the crimes for which the State exacts the death penalty a Negro has a 50 per cent better chance to die.

Crime-1932

COLUMBIA, S. C.
STATE

NOV 30 1932

Unique Position of an Oklahoma
Negro.

If there is such a thing as being doubly unique we should say that designation may be applied to the position of H. C. McCormick, Negro bookkeeper in a little bank operated in the small Negro town of Boley, Oklahoma.

Some days ago several white and one Negro bandit raided that financial institution. Quite naturally most of the employees took to cover, but McCormick was the exception. He worked a gun to such good effect that one bandit was killed and another wounded. They were so demoralized that all but one were captured by the townspeople.

Oklahomans did not resent the use of firearms against their white brothers. Quite the reverse. Governor "Alfalfa Bill" Murray was distinctly pleased. He paid Bookkeeper McCormick \$250 as a reward for killing a bandit and late reports say he has signed a commission which makes McCormick a major on his staff.

Also, in order to make the season for bandits as open as possible "Alfalfa Bill" has proclaimed that hereafter he will pay \$500 for every bandit killed while raiding a bank, and \$250 for the killing of every "holder of horses"—the fellows who keep the mounts ready for the escape of the bank raiders. It will be observed that they still use horses in Oklahoma. Also that "Alfalfa Bill" is not hampered by either red tape or any other "color line."

McCormick, we imagine, will be wise enough not to invest his \$250 in

a staff, probably
the only of his the coun-
try who is entitled to wear one

MAR 10 1932

Confession Through Torture.

AFTER A FANTASTIC and uncalled for "examination" of a negro arson suspect by county officials in Pennsylvania two of the inquisitors received in the state superior court a sentence of from one to three years in prison and another, of six months. The officials were sentenced for employing "third degree" methods for extorting a confession of guilt from the negro. They were found guilty of aggravated assault and battery, false arrest and imprisonment and conspiracy.

The negro, suspected of dynamiting a house, was arrested and held in jail for three days, then released for lack of evidence. He charged that his captors tried to obtain a confession from him by confronting him with a man garbed as a ghost.

In pronouncing sentence the court declared that "All three of these men have the sympathy of the trial judge, yet this can be of no avail." Indeed, there is no proper place for sympathy for the kind of lawlessness that cloaks itself in the garb of legal authority while using torture and force in tearing "confessions" from suspected wrongdoers. Third-degree methods, as these strong-arm tactics are called, too often result in inexcusable treatment of innocent persons and unwarranted convictions on the basis of alleged confessions of guilt obtained under threat of bodily harm.

Brutality carries its dangers whether or not it is invoked in the name of the law. Where brutality is used to force an accused person to convict himself, juries can never be free of the suspicion that they may be trusting tainted evidence in reaching a decision. Third-degree methods deserve to be thrown out of every police organization that takes its responsibilities to society seriously.

Pennsylvania
**PENNSYLVANIA WARRANT
CHARGING MANSLAUGHTER
TURNED DOWN BY GARDNER**

**Henry Williams Killed White Girl In Auto
Accident Near Philadelphia In 1930;
Twice Released By Courts**

**N. CAROLINA SETS PRECEDENT BY ACTION
Arrested Three Weeks Ago By Pennsylvania
Officers At His Farm At Warrenton, He
Posts Thousand Dollar Bond**

RALEIGH, N. C.—Setting a precedent for this state, Governor O. Max Gardner refused Friday to honor an extradition request from the state of Pennsylvania, in the case of Henry P. Williams of Warren County. Williams is wanted by Pennsylvania to answer a charge of manslaughter of a 12-year-old white girl in 1930.

The indictment was returned by the Pennsylvania Delaware County grand jury, charging Williams with "involuntary manslaughter" as the result of an automobile collision. The accident happened on the Chester Pike, six miles outside of Philadelphia, August 11, 1930. The white girl, Marie Langley, was fatally injured as a result.

When the accident occurred, Williams was arrested and held for three days without privilege of bail, pending the result of the girl's injuries. On the third day following the accident she died, and at a hearing by the coroner's jury, Williams was completely exonerated of all blame and ordered released.

Immediately following his release he was rearrested on a magistrate's warrant, charged with "careless and reckless driving and involuntary manslaughter." The magistrate found "no probable cause" and again ordered Williams' release.

Williams immediately returned to his home in Warrenton, North Carolina, where he has a farm and where he has lived for the past 30 years. About three weeks ago, detectives from Philadelphia came to North Carolina and arrested Williams on a warrant charging him with "involuntary manslaughter," based on an indictment returned by the Delaware county grand jury. He was also charged with being a "fugitive" from justice. Williams refused to

most two years' delay in prosecuting Williams, and he further ordered Williams discharged and his bond of \$1,000 released.

**North Carolina Governor Refuses
Pennsylvania Extradition
Request**
4-24-32

**Man Who Was Arrested Twice On Charge Of Killing
Girl Of Twelve, Remains Free**

RALEIGH, N.C. (By ANP)—Marking one of the few, if not the first time, in the history of North Carolina that an extradition request from another state has not been honored, Governor O. Max Gardner, Friday refused to honor an extradition warrant and request made on North Carolina by Governor Gifford Pinchot of Pennsylvania, for the return to Philadelphia of Henry P. Williams of Warren County, on an indictment returned by the Delaware County Grand Jury charging Williams with "involuntary manslaughter" as the result of an automobile collision which occurred on the Chester Pike, six miles outside of Philadelphia, August 11, 1930. As a result of the accident, Miss Marie Langley, a white girl, twelve years of age, was fatally injured.

In August, 1930, when the accident occurred, Williams was arrested and held for three days without privilege of bail, pending the result of Miss Langley's injuries. On the third day following the accident Miss Langley died, and at a hearing by the Coroner's Jury, Williams was completely exonerated of all blame and ordered released. Immediately following his release he was rearrested on a Magistrate's warrant, charged with "careless and reckless driving and involuntary manslaughter." The magistrate found "no probable cause" and again ordered Williams released.

Williams immediately returned to his home in Warrenton, North Carolina, where he has a farm and where he has lived for the past

thirty years. About three weeks ago, detectives from Philadelphia came to North Carolina and arrested Williams on a warrant charging him with "involuntary manslaughter" based on an indictment returned by the Delaware County grand jury, and also with being a "fugitive" from justice. Williams refused to waive extradition and his mother posted a bond of one thousand dollars for his appearance.

Following a report of an investigation made by Lawrence A. Oxley, state director, division of Negro welfare, which report recommended that the Pennsylvania Extradition papers be not honored by the Governor because the facts in the case indicated that Williams was in no wise a "fugitive"; and further, that almost two years had elapsed since the alleged crime was committed, before action was taken by the Pennsylvania authorities, notwithstanding the fact that Williams' address was known to them. At the hearing held last Tuesday in the Governor's office, C. William Krast, assistant district attorney for Delaware County appeared for the State of Pennsylvania. After a three hour hearing, Governor Gardner took the matter under advisement until Friday, when he announced that he would not honor the Pennsylvania warrant on the ground that the State of Pennsylvania had not given satisfactory reason for almost two years' delay in prosecuting Williams, and further ordered Williams discharged and his bond of \$1,000 released.

USUAL BUT NOT FAIR

PHILADELPHIA, May 16.—Nathan Gerson, a laundry owner, reported tonight his 19-year-old daughter, Dora, was kidnaped by four Negroes last Saturday and released today after payment of \$300 ransom.

PHILADELPHIA, May 17. — Police said today they had found the report that Dora Gershon, 19-year-old daughter of a laundry owner, had been kidnaped and held two days until a hansom of \$300 had been paid was untrue.

These two Associated Press stories published by a ^{call} Kansas City daily paper last week, illustrate perfectly the usual treatment ⁵⁻¹⁷⁻³² given Negroes. The facts appear to be the same as in the Virginia case last year, — a white woman covering up delinquencies by alleging that she has been in the power of Negroes. Had the first story, the one where she makes the charges, said that Miss Gerson was English or German, Jew or Gentile, there would have been some consistency in its giving the race of her assailants. The Associated Press treated her as an individual. It might have spoken of them as four men. It chose to build up a criminal reputation for Negroes.

When the Philadelphia police uncovered the deception, Miss Gerson now clearly in the wrong, still remains an individual, neither English nor German, Jew nor Gentile. But the Negroes, falsely accused, go mentioned when the facts exonerated them.

The thousand and one suspicions leveled at Negroes create for the race a criminal reputation, as cruel an act as can be done us. It is enough to bear the results of three hundred years of enforced slavery, with our service to this country unpaid in either money or gratitude. To have our troubles multiplied by deliberate unfairness, as in this case, calls for an ability to survive which might well daunt any people. So long as Negroes are targets of deliberate libel, unfair and inexcusable even if it is customary, there is a work for the Negro press to do, as glorious as any missionary effort to benighted lands.

Crime-1932

3 NEGROES EXECUTED

IN SOUTH CAROLINA
COLUMBIA, S. C., Jan. 8.—(P)—Three negroes, two convicted of murder and one of criminal assault upon a white woman, were electrocuted at state's prison today.

They were:
David King, 22, and Richard Dean, 17, Spartanburg negroes, who were sentenced to die for murder of Haskill Hill, Spartanburg filling station operator in a holdup.
James L. Sturdevant, 27, convicted of attacking a widow on a Horry county farm.
The woman whom Sturdevant was convicted of attacking witnessed his execution.

White and Black Convicts Nearly Equal

COLUMBIA, S. C., Dec. 30.—Of the total of 4,000 prisoners in the state penitentiary at Christmas time, 503 were white and 513 colored. The white population of the state is 950,000 and the Negro 800,000.

THREE DIE IN CHAIR IN S. C. ANOTHER IN N. C.

COLUMBIA, S. C., Jan. 11.—Three men, two convicted of murder and one of criminal assault upon a white woman, were executed by the electric chair at state's prison today.

They were David King, 22 years old, and Richard Dean, 17, of Spartanburg, who were sentenced to die for the murder of Haskill Hill, white filling station operator, killed in a holdup, and James L. Sturdevant, 27, Elloree, S. C., Under Curfew

After Negro Buildings Burn

By The Associated Press.
ELLOREE, S. C., Feb. 13.—Mayor E. E. Gasque today invoked a curfew law here following the burning of two Negro school buildings and a Negro church and a subsequent threat to burn another church. Any person on the streets between midnight and 5 A. M. will be subject to arrest.

A note, a bottle of gasoline and several matches were found on the steps of the Negro Methodist Church yesterday. The note said that if Arthur Daniels, principal of the Negro High School, did not leave Elloree, the church would be burned.

The Negro Central School building burned Jan. 9 and the Negro Industrial School building on Jan. 19. An attempt to burn the Negro Methodist Church Jan. 25 was frustrated, but several days later the Negro Baptist Church was burned. The two churches were used as school buildings after the

burnings.

Governor Blackwood sent a State constable to investigate the fires, but no arrests have been made.

Where Is "Hell Hole"?

Examining the report of the attorney general of South Carolina in connection with the census reports confuses The News and Courier's geography. Where is Hell Hole?

Berkeley county, S. C., has 22,366 inhabitants, 7,186 white and 15,051 negroes. Greenville, the most populous county, has 117,009 inhabitants and of them 89,136 are white folks and 27,855 are negroes.

Between October 1, 1930, and September 30, 1931, before the state circuit courts in Greenville were 198 cases of violation of the prohibition law and the convictions were 156.

The number of cases before the circuit courts in Berkeley for violation of the prohibition law in this period was 0. (You get that, Charming Reader? Zero.)

Greenville has more than five times as many inhabitants as Berkeley. Greenville is a great "white" county, and Berkeley has twice as many negroes as white people.

There is not a college in all Berkeley or a first class football team.

"But they don't enforce prohibition down in Berkeley as we do up here in a dry, white, moral county." That may be so. Let us grant that Greenville's population is kept sober and separate from the Demon Rum.

Before the state courts of Greenville last year were 497 criminal cases.

Berkeley's "grand total" was 13—an unlucky number but only one thirty-sixth of Greenville's.

Greenville had ten murder cases and Berkeley had three which was too great a ratio for Berkeley's population, but the two counties each convicted one person of murder. In Greenville were four acquittals and five "no bills," but Greenville also had eight cases of "manslaughter." Berkeley had no manslaughter cases.

Berkeley had one case of "non-support," four of assault and battery with intent to kill, one of larceny of livestock, and another of an automobile. That with the murder cases was Berkeley's record.

Greenville had fourteen cases of non-support, thirty-eight of assault with intent to kill sixty-nine of house-breaking and larceny, forty-nine of larceny, thirteen of breach of trust, sixteen of disposing property under lien, six of arson, two of rape, five of bigamy, nine of forgery, and divers other crimes.

The man accused of beating his wife in Greenville was found not guilty, and we are glad of that.

Greenville's record last year was worse

if anything than Charleston's.

Anyway, Hell Hole has moved out of Berkeley.

Burn Negro Church, Schools; Elloree, S. C. Under Curfew

COLUMBIA, S. C.

RECORD

JUL 9 1932

State's Appropriation of \$1,500,000 For Courts Is Small Part of Crime Cost

Dr. G. Croft Williams Says Cost of S. C. Criminals Is Growing Menace

(Editor's Note: This is the second of a series of articles on crime in South Carolina written on the basis of statistics gathered by the Department of Sociology of the University of South Carolina.)

The million and a half dollar which the state of South Carolina appropriated to cover the cost of crime last year in the state courts was just a small part of the entire amount expended for that purpose, according to Dr. G. Croft Williams, head of the sociology department of the University of South Carolina, under whose supervision a recent analysis of crime in this state for 1931 has been made.

Besides the state appropriation, which includes cost of courts, prisons, jails and county and state police officials, there should be added the municipal costs, which based on the average per capita expenditure for crime in the United States, as taken from the last Wickersham report of \$3.08, would amount to more than three million dollars. Also, the federal costs should be added which in 1930 amounted to more than \$200,000. In addition, the cost of the county hangings should be taken into consideration.

"With all of that, though," Dr. Williams said, "the real cost of crime is not chiefly concerned with apprehension, prosecution and punishment of criminals. Only a few of those committing crimes are ever caught, and still fewer convicted. The greatest cost of crime is to the people who lose their

lives and property, not to mention the loss to society of the productive powers of the criminals themselves."

Detailed Report.

In detail, the report showed the state appropriations to be as follows:

Law enforcement	\$ 904,287.87
Jails, court houses, etc ..	21,838.69
Probate judge	2,829.40
Court officials	1,178.18
Court expenses	184,605.36
Shelf., Magis., etc.	430,287.68

Total \$1,545,027.18

Altogether, if the entire cost of crime could be found out, which is very doubtful, it would run into millions of dollars for South Carolina, Dr. Williams asserted.

Of the entire amount spent for crime, the largest amount was found to be concerned with enforcement of the prohibition law. This situation held for the entire country, it was said, and according to the rate of the year previous, the enforcement of that one enactment alone cost the federal government more than \$32,000,000.

The last Wickersham report gave the following cost of criminal justice in the localities noted:

Chicago, \$22,437,167 or \$6.65 per capita.
New York, \$53,753,865 or 7.76 per capita.
Atlanta, \$1,773,816 or 6.56 per capita.
Spartanburg, S. C., \$105,887 or 3.69 per capita.
Columbia, S. C., \$147,925 or 2.85 per capita.

"These statistics may appear to be very dry things," according to Dr. Williams, "but only in such a way can we get at the actual situation regarding expenditures for crime. They do not show the desolated homes, the broken morale, the suffering and the despair that result from criminal acts. They show, however, how in such times as these a large part of the people's

2 CAROLINA NEGROES CONVICTED OF MURDER

WATERBORO, S. C., June 14. (P)—Booker T. Gonsland and Arthur Tucker, negroes, were convicted of murder today and sentenced to die in the electric chair July 29 for the slaying of R. C. McMillan, a farmer, near here in April.

money is being spent for crime." reveal that crime is productive of a

Lynching Account.

Among the items charged to the state of South Carolina was \$1,500 which was made on account of the lynching of a negro in Orangeburg county. This was the only occurrence of the sort in the state during the period of time covered in the report, but the amount paid by state did not cover the discredit done to South Carolina and the suffering which resulted from the whole affair.

In the item of "Law Enforcement" the \$904,287.87 included the \$40,000 appropriated for the governor for law enforcement, various police officials, etc., and certain specific appropriations. The amount used for jails, court houses, etc., included the money necessary for the upkeep of the public buildings used in connection with law enforcement, but included only a small part of the insurance electricity, and other such necessities. Included in the above were also the penitentiaries, reformatories, etc., for both whites and negroes. However, because there is no place to send the women who have been charged for sex offenses, they must go to the State institution for the feeble-minded, at Clinton, and the cost of this item could not be obtained when the report was made. The expenditures for the office of probate judge were considered only insofar as they were used in regard to the juvenile court. His other duties, involving civil cases, were not included when this matter was taken up.

On the basis of two-thirds of the entire court expenses for crime, the item concerning that matter was placed at \$184,605.36. However, the services of court officials were rated at a lower cost for criminal court duties, though the amount for sheriffs, magistrates and constables was thought to be of a larger proportion.

Besides these costs, it was pointed out, there should be taken into consideration the cost of the county chaingangs, many of which, Dr. Williams asserted, had to be done away with on account of the expense to the county. For the upkeep of the roads and chaingangs, the counties which had chaingangs spent from \$9,000 to more than \$140,000, it was found. Generally speaking, the amount of road building, working, etc., is not at all comparable to the amount spent on the support of the chaingang.

Health Item.

Nor does the report include, it was further explained, the constant drain on the resources of the state for caring for the prisoners' health, and for the families of the prisoners whose support is taken away from them.

This, according to those making the report, is one of the largest and most unattainable costs of criminality. A county physician is usually employed to care for the prisoners, and they are provided with lodging and food. But what happens to the families of criminals? Investigations into the funds spent for charity, etc., would re-

veal that crime is productive of a large number of calls for aid and sympathy, and that after the crime, the state is responsible for the greatest loss in money, not to say the loss in lives, to those who were victims of the crime. "Too little thought is given to the victims and too much as a general rule, to criminal," Dr. Williams claimed.

These innocent sufferers should receive the larger sympathy but somehow, they seem to be neglected. Usually when consideration of crime is made, he explained. In the estimation of money spent for this part of public support affairs, no consideration of the loss by the death of the family, or any other member of it, nor of the loss in property stolen, or destroyed, nor even of the insurance taken out by numberless people in order to protect themselves from criminals.

Besides these costs, which were not obtained, there could be mentioned the loss to society occasioned by the employment of numerous persons such as criminal lawyers, persons engaged in furnishing bail bonds for criminals, jurors and witnesses, and persons dealing in crime insurance and in the manufacturing and selling of protective devices. In the United States, it was brought out that losses to the country for such reasons as stated above in regard to the loss of productive labor due to crime, could be estimated at the minimum of \$300,000,000.

Altogether, however great the actual economic loss in dollars and cents may be, it was said, by far the largest consideration should be the attitude of the public toward crime, which would not only reduce the cost in money but would improve the conditions and so prevent future large expenditures.

THREE YOUNG NEGROES DIE IN ELECTRIC CHAIR

COLUMBIA, S. C., July 29.—(AP)—Three young negroes died in the electric chair at state prison here today for murder, one protesting his innocence to the end, one silent, and one confessing a murder for which he was never tried.

Evans Wood, convicted of killing his common law wife last January, sat calmly in the death chair and confessed "I killed a woman I was living with in Ohio in 1931."

Booker Copeland, convicted with Buster Tucker of slaying W. C. McMillan, a Colleton county farmer, last April, broke into song while praying as he was strapped in the chair.

Tucker preceded Copeland in silence. Yesterday absolved Copeland of any blame in the white man's death, but Governor Ibra Blackwood refused to intervene.

COLUMBIA, S. C.

RECORD

MAY 26 1932

OLD AND FORGOTTEN.

There is something about this "old and forgotten" prisoner idea of the governor's to arouse sympathy and to pull at heart strings.

That queer little procession of one white man and four negroes that moved across the penitentiary yard Monday was a pitiful sight. They were the first of 24 prisoners the governor planned to release after a special committee of senators investigating their cases, had brought them to his attention. The white man was tall and gaunt. One of the negroes was blind. Another was almost blind and felt his way gropingly across the one part of the prison plant that he new least about. The others were bent with age.

Monday afternoon there was another procession, pitiful like the other. A woman that you would hardly picture as a murderer.

Some of these prisoners had been in the penitentiary for many years and some of them when they went in had expected to die. Here, thanks to the intervention of a committee of state senators and the generosity of a governor, they are free.

And there's even something pathetic even about their freedom. Take the case of bespectacled "Mother" Julia Cook, looking around from under her grey bonnet at open spaces that prison walls did not interrupt, a little bewildered.

"They told me it would be a lot different out here," she said, "but I don't see where it's changed much."

There was nobody to meet her. She guessed her folks didn't know she was coming home.

And sympathy has been aroused by the governor's act. Man will praise him for it and some newspapers already have.

But there is another side to it.

All of these men and women were tried and sentenced by South Carolina courts for crimes, of which they had been found guilty.

Mrs. Cook, 70, and James Barfield, 74, were convicted eleven years ago for the murder of Mr. Cook's paralytic husband, killed when his throat was cut as he sat helpless in an armchair. Th wife and her co-defendant were sentenced to life imprisonment. Now they are pardoned and free. Mr. Cook has been dead eleven years.

There were others among them convicted of murder. Two negro boys from Charleston, saved by Governor John G. Richards from electrocution. A

Fairfield man who still denies that he killed his wife though a jury 24 years ago did not believe him. An 88-year-old negro of Williamsburg, paroled after serving 11 years of a life sentence. Two men from Florence, one of them completing 10 years, the other 21 years of the life sentences imposed.

And men sentenced of manslaughter and men convicted of rape. Men who have grown old, or acquired rheumatism. A man with a crippled arm. One man who, convicted of incest, more of a disease perhaps than a crime, escaped the Spartanburg chaingang and was arrested two years ago after 11 years of self-acquired freedom and sent to the penitentiary in order that he might not escape again.

A Charlestonian, serving a 20 year term for manslaughter in a double killing. Convicted first for one of the two deaths blamed on him he was pardoned years ago by Governor Cole L. Blease. A Charleston jury then convicted him of the other killing and sent him back for another sentence. He is crippled and now free.

It is hard of course to quarrel with the motives of the senatorial committee and the governor in searching out these men and women who didn't have influential friends to be running to the state house every day asking pardons or paroles or leaves of absence for them. It was a generous impulse that set the inquiry in motion. It would have been a fine gesture for some absolute monarch, whose word might imprison as well as free. But somehow it doesn't fit with Democratic ideas. These men and women were the state's prisoners, not the governor's. And the state might have better made provision that they should not be forgotten by establishing a parole system under which all prisoners might have been remembered though perhaps not so many of them freed. Parole systems seldom, if ever extend to life sentences.

But these are sick people, old, halt and lame and blind. Governors and senators are human and they feel sorry for them. Some of them were old and sick and lame when they were tried, but jurors take oaths. And there are too many people in the penitentiary anyway. Juries and judges sent them there. Other juries can send some more in that governors may turn them out.

These were "forgotten" men and women. They have been remembered. Forgotten in South Carolina and unremembered are the verdicts of juries and the sentences of courts.

Crime - 1932

South Carolina

LEGAL SLAVERY IS FORCED UPON WOMEN IN SOUTH CAROLINA

Mayor of Cheraw, S. C., Is Said to Make Women Prisoners Work In Street Gangs Under White Bosses.

(Special to The Pittsburgh Courier)

By Staff Correspondent)

CHERAW, S. C., Aug. 11—Memories of the days of peonage and bondage were revived here recently with realistic bitterness, when it was discovered that Negro women haled before the courts of this city for minor violations of the law, were put to work cleaning the streets of the city under white bosses.

And because of this policy, R. A. Rouse, mayor of the city, has aroused the ire and indignation of the citizens to such an extent that a delegation of race leaders are planning on visiting him and entering a formal protest, demanding that the practice be stopped. It is claimed that the city's chief executive has put Negro womanhood on a pedestal of shame and disgrace.

According to a Courier correspondent, every race woman who commits a minor crime is humiliated in this manner. The women are horded together in gangs and are virtually made slaves during the length of their sentence. Ofttimes the women are worked along with men prisoners.

At the present time three women, unable to pay small fines, are members of the "street cleaning gangs."

We Are Unmoved

WE ARE TOLD by the daily press that, for the first time in the history of South Carolina a white woman has been sentenced to death and that a considerable stir is being made over the case because the twenty-nine-year-old wife-victim is soon to become a mother. The condemned woman was found guilty in the slaying of a rural policeman who sought to arrest her husband, a reputed bootlegger, on a charge of reckless driving.

SOUTH CAROLINA'S failure hitherto to sentence white women to death cannot be attributed to humanitarianism; nor can her women lay claim to more virtue than other Southern white women. In the Southern states, first degree murder convictions car-

known legal means will be exhausted in her behalf. Nor is the case of Bertha Lowman singular in South Carolina, for six other colored women have been lynched in the state. The case of the white woman therefore, leaves us unmoved. If we had tears to shed, we would shed them over the fate which befell Bertha Lowman, a twenty-seven-year-old colored woman, who was not even permitted to die in the electric chair.

rying the death penalty are seldom returned except

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WHEN SHE WANTS to do so, South Carolina deals harshly with women, especially with colored women. Her fiendish inhumanity was strikingly presented back in 1925 when Bertha Lowman was lynched for a lesser offense than that for which the white woman was convicted. In fact, the colored woman committed no crime at all. We recall that a sheriff and three of his deputies went out from Aiken to arrest Bertha Lowman's father on a trumped-up bootlegging charge. Bertha and her mother saw the white men approaching and started to enter the house. The men wore nothing to distinguish themselves as officers of the law. The sheriff struck Bertha in the mouth and when her mother remonstrated the elder woman was shot through the heart. A son and nephew, ages twenty-one and seventeen, heard the cries of their kinswomen and the shot and rushed to their defense. In the melee the sheriff was accidentally killed by one of the deputies, but Bertha's brother and the boy were tried and convicted—the two men being sentenced to death and Bertha to life in prison. The case was appealed to the Supreme Court of South Carolina and the sentences were reversed. A short time later, by prearrangement with the "authorities," all three were taken from the jail to a camp outside Aiken and lynched by a mob of two thousand white men.

According to a Courier correspondent, every race woman who commits a minor crime is humiliated in this manner. The women are horded together in gangs and are virtually made slaves during the length of their sentence. Ofttimes the women are worked along with men prisoners.

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the "authorities," all three were taken from the jail

to a camp outside Aiken and lynched by a mob of

two thousand white men.

WHY, THEN, SHOULD WE get excited over the

fact that South Carolina has sentenced even a preg-

nant white woman to death when colored women have

been lynched and burned while in that state. One

thing is certain: If the woman dies in the electric

chair it will be only after due process of law; every

Negro Murderer Caught Over Year After Escape

NASHVILLE, TENN., Jan. 23.—(AP)—Warden A. A. McCorkle of the State Penitentiary was "tickled to death" when advised tonight that Edgar McChriston, negro youth under life sentence for murder, had been caught in Chicago after his escape from prison here more than a year ago.

"I am tickled to death to get him," the Warden said. Chicago police advised that the negro, convicted of killing a Memphis druggist, demanded extradition papers and for this reason McCorkle believed it would not be possible to send for him before Monday.

While prison officials had never made public McChriston's escape, Warden McCorkle revealed tonight that he got away Oct. 4, 1930 by climbing over a wall. Since that time a five-foot wire fence, charged with 2,300 volts of electricity has been erected on top of the walls. McChriston was received Sept. 27, 1929. He originally was given a death sentence for the shooting to death of Lucius Chambers in a holdup, but this later was commuted to life imprisonment.

NEW YORK TIMES

JAN 24 1932

TENNESSEE AROUSED OVER LAW'S DELAYS

Caldwell Cases Viewed as
Strong Indictment Against
Judicial System in State.

SCOTTSBORO CASE ANOTHER

Chattanooga Bar Association Plans
Move to Speed Up Criminal Procedure.

By W. G. FOSTER.

Editorial Correspondence, THE NEW YORK TIMES

CHATTANOOGA, Jan. 21.—Fifteen months after the crash of the Rogers Caldwell brokerage firm and associate banks, together with the loss of \$6,000,000 to the treasury of the State of Tennessee, nothing substantial has been accomplished toward the conviction or acquittal of those who are accused of being criminally at fault in the crash, or to bring about restoration of the vanished funds.

The situation stands as a vivid indictment against the American judicial

system as it is practiced in this section of the country and affords explanation of the psychology which occasionally in extreme instances causes men to take the law into their own hands.

Tedious indeed have been both the criminal and civil processes in the Caldwell case. The civil suits are in such a tangle that no one except the lawyers is trying to unsnarl them. It is generally understood that an offer of 40 per cent of the deposit lost in the Holston Bank in Knoxville has been refused by the State, which is trying to insist that the State's deposit was preferred and the entire amount must be paid. Otherwise the maze of suits filed, with their cross-currents of legal technicalities, has the layman entirely at sea. Nor does any one outside the legal profession understand why Caldwell, who owes the State millions, was allowed to retain a large percentage of the \$67,000 received from the forced sale of his stable, so that he is still living near Nashville as luxuriously, to all appearances, as before the smash.

Lea Case Delayed.

Over in Asheville Colonel Lea and his son, Luke Lea Jr., have been convicted by a State jury in connection with Wallace Davis, Asheville banker, but the case is now in the State Supreme Court, which has displayed no eagerness to act. In Knoxville Federal indictments were brought against Lea and Caldwell, but a legal technicality was discovered and new bills have had to be drawn. When the trial will be held remains a mystery. J. Basil Ramsey, cashier of the Lea-Caldwell Holston Bank, goes on trial Monday. In Nashville Colonel Lea's friend and political ally, Colonel Atkinson, Attorney General, flatly refused to permit the grand jury to return an indictment against the Colonel, and a judge finally employed a special prosecutor to act over the protest of the Attorney General.

To a Nashville court, however, goes the credit of returning a verdict in one of the Caldwell-Lea cases, Caldwell being convicted of jockeying collateral securities in a manner to deprive Hardeman County of several hundred thousand dollars. But this conviction has been in the State Supreme Court for several months with no sign of action.

Perhaps the most depressing feature of the entire situation is the spectacle of the Governor and courts of Tennessee protecting Caldwell from prosecution in a sister State, Kentucky. When Kentucky came to Tennessee with an indictment against Caldwell in the Banco Kentucky case, Governor Horton met the Kentucky officials with a flat refusal to grant requisition for his friend. Later, the decision of the Governor was ratified by a Tennessee court.

Legal System Blamed.

Probably no State in the Union can boast of higher calibre lawyers or more unquestioned integrity on its Supreme Court bench than Tennessee; there has never been a whisper of politics or partisanship against any member of the present court. The State's trial judges also have

been remarkably free from hint of scandal, but all seem to be in the grip of a system whose possibilities for delay and evasion of justice they cannot escape.

The publicity in the now famous Scottsboro case is based on a criticism of the court for prompt action, while if the courts seem to need anything it is just that promptness. The alleged crime was committed on March 24, 1931. The worst critic of the South could find no reasonable ground for criticism of the manner in which officials proceeded. Governor Miller gave the accused Negroes the protection of the Alabama National Guard. The girls in the case were not natives of Scottsboro and, as matters turned out, the guard was not needed and citizens were content to let the law take its course. A special grand jury was called, a special term of court held. Some of the Negroes confessed, some of them accused other members of the party. The procedure was regular in every way, without intimidation of the jurors. After conviction the customary appeal was taken. And now, more than ten months after the alleged crime was committed, the State is still paying a board bill for eight men and the courts have not yet decided as to their guilt or innocence.

True, the verdict was rendered during a stress of public indignation over what seemed to be a heinous crime; but if that psychology were carried to a conclusion, it would be wrong to convict any man whose crime is so terrible that it stirs horror among the people. The inevitable back-fire is coming in the wake of the delay; others, seeing that men accused of the crime of assault attract sympathy and are able to delay punishment, are tempted.

Bar Seeks Reform.

It has been many years since Chattanooga had a serious case of a Negro attacking a white woman, and twenty-five years since a lynching was committed here, but last week the city was horrified by a crime of the very worst type in a small office building. A Negro accused is now in the Hamilton County jail. So far there has not been a move on the part of any one to molest him. Apparently the influence of the hullabaloo in the Scottsboro case extended to the culprit and encouraged him to the crime.

The Chattanooga Bar Association this week took cognizance of the menace that lies in slow criminal procedure and launched a move to speed up trials and avoid continuances in local courts so that Chattanooga's dockets at least can be kept free of long-drawn-out cases. Local sentiment was heightened some months ago by the discovery of a Negro in the local jail who had been placed there as a witness in an important case, and had lain there for many months, forgotten.

Whether the task of speeding justice can be accomplished in spite of the system remains to be seen.

Tries To Convict Colored Man; Gets Self Into Trouble

MEMPHIS, Tenn., Jan. 14.—(CNS)

A white man, M. C. Kennedy, who sought to have Jerry Roberts, colored, held on a charge of assault in the police court here recently, found out to his sorrow that according to his own version of the affair he had been guilty of assault with intent to murder the colored man. The police court judge ordered him held on this charge to await action of the Grand Jury.

Kennedy was testifying against Roberts. In his testimony he stated that he ordered Roberts to move a truck out of the way and that Roberts refused to do so. "He was very arrogant," the white man stated, "and gave me a lot of smart talk. I then went across the street to a bicycle shop and got a hammer and told him if he did not move the truck I'd make him move it. I then struck at him and just missed him by inches. Then he drew a revolver on me."

W. C. Russ, Robert's employer testified for him, saying that the revolver in Robert's possession was his property and that it was kept under the seat of the truck. The police judge bound both men over to the Grand Jury.

Chattanooga, Tenn.

NEWS

APR 6 1932
An Arsenal

YESTERDAY, we printed a picture of a Negro bandit and his arsenal. It took five persons, at the police station, to hold all the guns in the photograph. There were automatic revolvers, sawed-off shotguns, long-barreled shotguns, and various other implements of warfare.

It would be interesting to establish a little James Ellis museum in the police headquarters, James Ellis being the Negro highwayman's name. Each pistol, sawed-off shot-

gun, or other "gat," should be labeled, showing from which store it was unlawfully bought, how many persons the illegal weapon frightened when it was stuck into their ribs, how many possible notches each gun would wear in its barrel, if there were a notch for all persons robbed, terrorized, or wounded, or killed, by it since first it was unlawfully sold in Tennessee.

Where did this Negro desperado get all these guns? It ought to be impossible for such a person to secure one gun. This man had enough to stock a young regiment.

A James Ellis museum would be interesting.

TENNESSEE RESTAURANT DYNAMITED

COLUMBIA, Tenn., May 26—(By ANP)—Residents in the neighborhood of Albert Wright's restaurant on East Eighth street were thrown into a panic early Sunday morning by the explosion of a dynamite bomb which shattered the eating house.

It was charged that the building had been dynamited by a disgruntled customer who had been ordered out of the place because he was drunk.

Police later arrested Lee Hudson, of Birmingham, Ala. Hudson is said to have formerly worked in a quarry and learned how to handle dynamite.

Nobody was hurt by the explosion.

White Man Caught in Trap He Set For Negro

MEMPHIS, Tenn. — (CNS) — A white business man who tried to have a Negro hanged for a crime he himself committed, has been caught in the trap he set for the Negro.

A grand jury has indicted Will Puryear, owner of an automobile shop here, for the murder of his wife and child on May 2nd. The indictment was made after Will Jamison, jobless Negro worker, had died in a hospital, proclaiming his innocence of the murder of Puryear's family.

Jamison said that he had been approached by Puryear with an offer of a little work. He accompanied Puryear to his home, and when they got there, Puryear opened fire, and then ran out of the house screaming that a Negro had murdered his wife and child. Jamison was at once arrested, and it was then discovered that Puryear's wife and 12-year-old daughter had been murdered some time before. Before Jamison died, he managed to tell his story. The facts were so glaring that even an all-white Southern jury did not dare to go through with the frame-up.

ALARMING CRIME WAVE

The many deaths from shootings and slashing in our city serves to place Knoxville in a class with the cities of much larger population as concerns crime and is proving thoroughly alarming to the local citizenship. Notwithstanding the fact that the walls of all prison are bulging because of the many men and women, boys and girls who have been sent up from the courts for crime, there seems to be no let up and every day our courts are busy dealing with law violators. Especially alarming is the manner in which Negroes are slaying each other. Killings of men and women among the Negro racial group has become almost an everyday occurrence. It is nothing unusual to hear the siren of a speeding automobile rushing into the Negro residential section to find some man or woman with a gaping wound caused by a pistol shot, knife or ice pick stab inflicted by some individual over the slightest provocation.

There is positively no doubt but that our welfare and social agencies are in a large measure responsible for the attitude of the unfortunate and ignorant mass group that causes the crime record to mount in such a rapid manner. When it is realized that facilities for wholesome recreation under capable supervision is not provided in the slightest degree for the local Negro racial group, one can readily account for their trend toward criminality. An unsupervised playground and park is located in each of the two sections of the city where the largest groups of Negroes reside, but as for wholesome instruction along the lines of how to devote leisure hours to activities that will prove beneficial, there is not an apparent thought to such and the large number of men and women, boys and girls are allowed to lounge about the weed-infested parks at all times of day and night, with only their ideas of a "good time" to guide their activities. The investment of a small portion of money in an effort to rescue these unfortunate human beings from a condition that is certain to invade every nook and cranny of our city unless curbed, will be more advantageous to humanity than expending large sums for enlarging the prisons for the law violators and certainly humanity will be benefitted to a much greater extent.

Memphis' Record Negro Murders

MEMPHIS, Tenn. — (CNS) — Memphis, Tenn., will again be given the unenviable record of homicide in 1932. Since January 1, 1932, there have been 94 homicides here, 10 more than during the same period last year. Based on a population of 260,000, this gives an average of 36.1 homicides per 100,000 population. This is an amazing figure when compared with the nation's homicide figure of 8.5 per 100,000 people. Of those murdered, 80 have been Negroes, 13 whites and one Japanese. Based on a Negro population of 98,000, this gives the appalling average of 81.6 homicides per 100,000, or two and a half times the average for Memphis whites, and nearly ten times the general average for the United States.

The violent death record for 1932 will include 45 suicides, three of which were committed by Negroes. This is also a high figure and a heavy increase over last year. Financial difficulty was the reason given for self-destruction in most of the cases. Ill health, domestic difficulties, and mental disorders followed in order.

Of the 42 white people who ended their lives, 32 were men. Strangely enough, of the 79 attempted suicides by whites, more than two-thirds were by women. Nine Negroes made attempts.

The suicide record will make its longest jump of the year when police records for the year are closed. Many cases known as "open cases," where suicide could not be proved or where a person is definitely known to be missing, will be termed suicide when the books are closed.

Including homicides, automobile accident deaths, and the suicides, there have been 790 violent deaths this year. This is a rate of 3.07 deaths per 100,000 people from violent causes.

Included among the homicides is the sensational Puryear axe murder, in which Mrs. Stanley Puryear and her eight-year-old

daughter, Aurelia, were hacked to death in their home, 1300 Ridgeway. Stanley Puryear, the husband and father, is now under indictment for the murder of the two. Although he was recently acquitted of killing a Negro whom he claimed committed the double murder of his wife and daughter.

Negro Postmaster

Convicted Of Theft Black & White

MEMPHIS, Tenn., Dec. 15. — (A NP) — George Poindexter, 53 years old, postmaster at Corona in Tipton county, was convicted of stealing at a trial held Wednesday afternoon and sentenced to serve four months in the Shelby county jail.

Poindexter, one of the few colored postmasters in the country, was indicted by a grand jury for violations of the postal laws on three separate counts, including embezzlement of \$404 in postal funds; failing to deposit the same with the proper postal authorities, and keeping more than the \$50 allowed the postmaster of a fourth class office in his possession.

The convicted postmaster denied that he had stolen the money and testified that it had been stolen from him while he was under the influence of liquor.

The jury debated the postmaster's fate only six minutes.

Poindexter rose to be a postmaster from a job as "straw boss" on an Arkansas plantation. His home is in Joiner, Ark.

Black Face White Bandits Caught At Austin When Attempted Holdup Fails

Austin, Texas.—(Sp.)—Two white men were placed in the Travis County jail Sunday after having failed in an attempt to hold up Mayo T. Brewer, manager of the Piggly Wiggly Store No. 6, and being chased through the downtown business district and toward East Austin, officers firing at them continuously. Twenty-three shots were fired at the men, but neither of them was injured. Both of the men had their faces blacked.

Constable Arthur Woody said Sunday that the men stole an auto license plate from an automobile belonging to Stanley Rogers, wrestler. Rogers' license plates were placed on top of the plates of the car belonging to the holdup men.

Shoots at Hi-Jackers.
Shortly before midnight, the two men stopped Brewer between Fourth and Fifth streets on Colorado Street. They had run him into the curb, telling him that he was speeding. When Brewer was stopped he shot at the two men.

Deputy Constables Arthur Cowey, Burt Bell and L. H. Key found the men in their automobile driving along at the intersection of First Street and Congress Avenue. The officers drove along side of the hold-up men at Fourth and Congress and demanded that they pull to the curb. The men refused and turned east into Fourth Street. Officers followed, shooting at the car from time to time.

Finally Overhauled
The chase continued east on Fourth Street to Red River Street, where the men turned south to First Street. Then they continued east on First Street until they reached Navasota Street, where they turned south to Willow Street. Officers overhauled them at the intersection of Navasota and Willow streets.

Officers Cowey, Key and Bell were in a car immediately following the hold-up men. Cowey shot at the car 12 times and Key shot at it 11 times. City Officer Bill Nitschke was in a car after Cowey, Key and Bell. Constable Woody was in the car immedi-

ately after Nitschke. Constable Woody said one of the men had made a confession to the hold-up. He also said that one of the men had been an employee of the Piggly Wiggly Stores.

EL PASO, TEX.
TIMES

MAR 28 1932

When A "Life" Sentence Isn't

Hence Williams, negro, received an Easter parole from Gov. Sterling and is now a free man.

He was convicted in 1907 of murder and was sentenced to death. Just 15 minutes before he was to have been hanged, his sentence was commuted to life imprisonment by the late Gov. Campbell. Now he is free.

There is no reason why a negro should not be paroled, the same as a white man. Nor is there a reason, so far as we know, why a parole should be given to any other life-terminer and denied to Williams. His case is used merely as the text for a general comment.

By this parole, the will of the governor who granted the commutation to life imprisonment has been set at naught. And he, in turn, set aside the solemn judgment of the court which had decreed death.

The sentence for murder thus became not death by execution, nor yet life imprisonment, but merely 25 years imprisonment.

This is why sincere opponents of capital punishment find difficulty in effecting the reform they seek.

It would be easier to substitute life imprisonment for the death penalty in many states were it not for the fact that an over-free exercise of the pardon and parole power is constantly causing life sentences to be shortened to 25, 15 or even 10 year sentences.

Blackens Face; Shot Robbing Bank in Texas Town

CORPUS CHRISTI, Tex., July 15.—With his face thoroughly blackened to disguise himself as a man of African descent, Asa Wright, 25 years old, society leader and prominent white business man of this city, went forth last week to hold up the Texas State Bank and Trust company.

He succeeded in effecting an entrance and put a gun on Arthur Van Horn and Billie Huebinger, two of the bank employees, who handed him over \$11,550. Wright would have made good his escape had it not been for H. F. Waters (white) who saw him coming out the rear door. Waters hurried to a phone nearby and summoned police. "A nigger has just robbed the state bank," he said.

Slain by Friend
Policeman Lester Smith, a friend of Wright, and Officers Fred Barrera and George Pavol rushed to the scene.

"There goes the darkey," Waters told them, pointing to the masqueraded Asa Wright, who was attempting to get in an auto. The three officers, believing their culprit a black man, opened fire without ordering him to halt. Wright fell mortally wounded. An ambulance was near the scene and Wright was placed in it and rushed to Spohn hospital. There his face was washed and his identity was revealed.

Had Perfect Disguise
At the time of the hold-up Wright wore overalls. He had on yellow goggles that had been stuck to his face with adhesive tape. He had a base for the make-up and used turned cork on his face to give him an African appearance. This cork had been carefully rubbed on over a large piece of chewing gum that he had placed on his nose to enlarge the appearance of that member of his face. To make his face fuller he had stuffed cotton in his jaws and between his lips. He had paraffin on

to his friends that he was not a coward.

Dave Fisher was indicted on a charge of murder in connection with the slaying of Ben Green.

Burrell DeWalt was indicted for the murder of Jeff Reagan, and Everett Bell was indicted for the killing of John Clements.

Among those who were exonerated on murder charges was Mrs. Prutha Washington, who stabbed and killed two women here several months ago. Mrs. Washington was charged with the murder of Mrs. Mattie Bell Washington and Mrs. Georgia Rose, who met their deaths allegedly at her hands in self defense during an argument at Mrs. Washington's home over some chicken gravy and biscuits.

Dan Curtis was exonerated on a charge of killing Ransom Lewis. Curtis was accused of killing Lewis, a life long friend, over the affections of a woman whom they both are said to have loved.

Miss Helen Spikes, who stabbed Thomas Lowe, her common-law husband during an argument, was not killed.

Mose Johnson, who was charged with the murder of Oscar Wren, was exonerated by the grand jury. Johnson confessed that he killed Wren after the latter slapped his sister at a booze party in the 200 block on Jefferson street.

The Harris County grand jury, after studying the cases of fourteen local Negroes charged with murder, indicted five and exonerated eight last week.

Among those indicted was Mrs. Ethel Lee, wife of Authur Lee, who fatally stabbed Miss Lillian Williams, a local high school graduate, when Miss Williams allegedly accosted Mr. and Mrs. Lee and tried to pull Mr. Lee away from his wife. Mr. Lee this week filed suit against his wife for divorce. Her case has not been set for trial.

Sammie Williams was indicted for the murder of Joe Porter. Porter was killed during a fistic tilt with Williams in which he is said to have attacked Williams in an effort to prove

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Little Comment Made

Since crimes of all nature are committed in this section by white men wearing disguise, very little comment was passed on the case. Though prosecuting attorneys are familiar with this practice they answer public clamor by convicting a black man whenever police officials demonstrate their incapacity by failing to appre-

hend the guilty white criminal. Wright came from one of the most aristocratic families in Texas. He was second lieutenant in the cavalry reserve and had recently participated in a city beautiful movement for Corpus Christi. His body was sent to Jefferson, Tex., where his father is a well-known capitalist and director in the State bank of Jefferson.

VERNON, TEX.

VERNON DAILY RECORD

DEC 19 1932

Indicting Economic System.

A negro convict out on parole goes to a judge, in a Texas city and asks how he can get back in prison. He is

serious about it, observing that he could commit another crime and have his parole revoked, but that would mean revocation of credit allowed him for good behavior, and he wants to "get out again when times are good."

Pondered seriously, it is a rather severe indictment of our economic order as well as the times. When life in prison becomes more desirable than freedom in the nation which has glorified freedom more than any other country, something is radically wrong.

Of course, we know that conditions are abnormal, and the negro himself realized it as is implied in his wish to leave prison again when times are better. Still when we consider the thousands upon thousands of free men today who would prefer to be behind prison walls, when we consider that we are treating the crimi-

nals of the land better than hundreds of thousands of good citizens, we must realize the necessity of a change or improvement in the economic fiber.

When we confine a man to prison we guarantee him, in effect, sufficient food to maintain life. It seems

that we should guarantee our industrious and honest citizens no less

LIGHTS AND CRIME

Many Negroes think it would have been a good thing if those 239 street lights, which seemed about to be cut off for economy, had been cut off. Especially if they could have been cut off in the streets near the mayor's and the commissioners' homes.

Negroes have suffered the emotions prompted by insecurity and danger so long because of dark streets, they believe it time for the city officials to learn the actual inconvenience and danger of dark streets.

Often some half baked statistician expounds learnedly on the prevalence of crime among Negroes. The smart one doesn't know that the city officials have invited all criminals to gather in Negro sections by darkening the streets in those sections!

If downtown Houston were thrown into darkness for just a month, the crimes of the whites would eclipse those of Negroes in quick time. There is a direct relation between crime and darkness. And it will never be possible to effectively reduce crime in this city until every section is adequately lighted.

It seems stupid to let any section remain in darkness. The cost in loss by robbery, by murder, by destruction of property and extra policing is many times the cost of the lights. Nor does the crime induced by this lack of light in the Negro section restrict itself to Negroes. Some day the city fathers will learn that the health and security of whites and Negroes are linked inseparably; that poor streets, poor sanitation, and poor lights in Negro sections send their attendant sickness and crime over the whole city

Crime-1932 NEGRO ARRESTS IN PETERSBURG GIVEN FOR 1931

Fewer Whites Than Colored Taken By Police

By Journal and Guide Staff Writer
PETERSBURG, Va.—A grand total of 3,024 persons felt the heavy hand of the law in this city during the year of 1931, according to an analysis made by the police. Of this number, 1,340 were white; 1,684 were Negroes, or 344 more colored people than whites.

The report as given disclosed some interesting figures, such as more persons being arrested for drunkenness than for any other single reason, despite prohibition and a dry South.

Whites led in arrests for bad checks, drunkenness, violation of traffic rules, jumping hotel bills and fighting on streets.

Where Negroes Led

Negroes led in adultery, assault, disorderly conduct, auto thefts, gambling, housebreaking, murder, vagrancy, violating the prohibition ordinance, promoting games of chance, fornication, street soliciting, creating disturbances and ravishing.

Negroes led in adultery, 11 to 2, while assault rating was 269 to 84, with Negroes again leading.

Gambling shows Negroes out in the lead, 113 to 7, while the murder total, 5 to 2, was low for both groups, with Negroes in the lead, however.

Vagrancy shows 10 Negroes arrested, to no whites. Unemployment among Negroes is a possible explanation of this item.

The figures show that Negroes led in violating the prohibition laws, 185 to 110. Fornication shows no whites and 20 Negroes. Ravish charges claimed only one victim during the year, a Negro.

Residents of this city point out that Negro and white offenders and suspected offenders do not always receive the same quality of treatment at the hands of the law, and they point to the arbitrary Saturday night raids, prevalent in Southern cities, which take in so many Negroes.

The figures tell the following:

	White	Colored
Violating prohib. ord.	110	185
Adultery	2	11
Assault	84	269
Disorderly Conduct	26	35
Bad Checks	18	4
Auto theft	5	8
Drunkenness	369	288
Gambling	7	113
Housebreaking	17	20
Murder	2	5
Vagrancy	0	10
Violation traffic rules	192	76
Promoting game of chance	1	3
Fornication	0	20
Street soliciting	0	4
Jumping hotel bill	1	0
Creating disturbances	15	33
Fight on streets	15	7
Ravish	0	1

"NEGRO-DID-IT" CRIME BRINGS WHITES TO BAR

Echoes Of Harper Case Cause Mistrial

Echoes of the famous Harper Case came back in Corporation Court to halt the trial of a white man accused of a robbery for which Negroes had at first been blamed.

The robbery for which Thomas Pitcherello was on trial, Wednesday and Thursday, occurred on December 28 last and first came to the attention of the police when J. E. Toler, night watchman at the Colonial Oil Company, was found securely tied up after the safe in the company's office had been opened with an acetylene torch. \$700 in cash and checks was found to be missing.

Failing to find any Negroes who might be connected with the crime, officers began to center their investigations on the office and as a result Pitcherello, along with two other white men, were arrested. Signed statements were obtained from each member of the trio at the time, in which they admitted the robbery. Toler admitted, police say, that he allowed himself to be tied up. He also confessed that he reported the robbery was committed by four Negroes in order to confuse the police.

He had his trouble for his pains, because he received none of the loot, according to a statement he made to the police.

It was upon the basis of the admissions of the alleged confessions, that led to a mistrial being declared by Judge William H. Sargeant on Feb. 18. The greater portion of the trial had been consumed by attorneys arguing this point. Detective A. M. Allen, one of the investigating officers was the first witness called to the stand. He was

asked by defense counsel if he were one of the arresting officers in the Harper case.

Assistant Commonwealth's Attorney Berryman Green immediately objected to the question on the grounds that it was irrelevant, and demanded a mistrial. Judge Sargeant ruled in his favor but no definite date for a new trial has been set.

RICHMOND, VA.

TIMES-DISPATCH
MAR 28 1932

A Challenge

At first glance, the information that Virginia has a prison population close to 2 per cent of the entire number of her citizens and as many as 13,000 persons otherwise segregated is alarming, and especially when we learn that the national average for segregated persons is only 1 per cent of the population.

But like illiteracy statistics, these segregation figures are vastly misleading. Some might say that in Virginia a man has more than twice as many chances of being locked up as he would in the country at large.

An inquiry into these facts which are so well known to our Department of Public Welfare will reveal several things. First, that Virginia being an agricultural State and without those great metropolitan areas where crime may flourish without apprehension, more criminals are brought to justice here than elsewhere. Second, that the feeble-minded and the insane are probably better cared for in this State than in others, for institutionalized attention is manifestly given to a larger proportion of them.

Finally, there is the fact that about one-third of our population is Negro and unfortunately deprived of a high standard of living and health.

With these general explanations in mind, one may see that the apparent size of Virginia's segregated groups is in reality a favorable reflection on our institutions of control, and not necessarily a blot on the State's record.

It should not be thought, however, that we are merely interested in interpreting these statistics in a favorable light. The revelation that Virginia's prison population numbers 50,000 and that there are 13,000 other segregated persons means that our Department of Public Welfare, which supervises the control of the majority of such unsocial or anti-social elements, has a vast work to do. And the public should know that this department is an efficient and progressive agency which deserves unanimous support from all persons who wish Virginia to be made a better place in which to live.

NORFOLK, VA. LEDGER-DISPATCH

JUN 10 1932

Another Prison Camp Horror

Another horror has been reported from a prison camp in the Deep South, this time in Florida.

A prisoner, not a Negro for once in a way, was found strangled to death by a chain collar which had been placed about his neck. The captain of the camp and a guard said that the prisoner had refused to work; that they had tried a leather confining device; that he had escaped from that device; and that they had, thereupon, put a chain collar about his neck, and attached the other end to an overhead beam. They also said that the prisoner had strangled himself by holding his feet off the ground—until he was dead.

If that was what the prisoner did, it was made possible by the fact that the chain held him in an upright position, possibly so upright that his neck and his body were stretched taut. Indeed, the story suggests the possibility

that he was forced to stand on his toes to avoid being choked. And that, it would seem, is probably the truth of the gruesome thing.

It is much easier to imagine that the boy—he was only nineteen—stood or stretched as long as he could, and then let go and was choked, than that he had the courage and control over his reflexes to draw up his legs and let the chain hang him. Indeed, it is doubtful if the most determined or desperate man could hold his feet off the ground long enough to hang himself: when he became unconscious or semi-conscious, it is altogether probable his flexed legs would relax and provide him at least some support.

All the admitted facts and all the natural deductions from the facts point to another instance of the savage brutality practiced in many prison camps in the Far South.

Ask Pardon For Man White Woman Had Slay Husband

RICHMOND Aug. 11—(CNS)—A group of prominent Richmond colored people will petition Governor Pollard of Virginia to pardon Richard Lee, who is serving twenty years on charges of having killed J. Will Jones dairy farmer at his home near Amelia courthouse.

Lee was sentenced after allegedly confessing to the authorities that he shot the farmer in his bed at the instance of Mrs. Jeston Allen Jones, the victim's wife and one of her sons. Despite this fact the white woman was acquitted and the son was never tried.

The colored man's alleged confes-

sion was attacked by the defense in the woman's trial on the grounds that he is illiterate and undeveloped in mind. Lee is twenty-one years old and worked on the Jones farm. He did not have any record of previous violent conduct. Jones was found dead in his bed with the shot-gun on the floor beside the body. The defense sought to show that it was suicide.

BURNT CORK BANDITS

Journal and Guide
OVER at Lynchburg a few days ago two white men blackened their faces with burnt cork and proceeded to commit robberies by force of arms. One merchant who was commanded to hold up his hands brought up with one of them a gun the fire from which wounded one of the bandits. These wounds resulted in the arrest of the pair and the discovery that they were not Negroes. Had the robbers gotten away and washed their faces it is likely that two innocent black men would have paid for their infamous crimes. When they are punished the juries should take into consideration their efforts to unload their crimes upon another race by a now familiar conspiracy and add a few more years to the penalty. The only time a white man wants to be black is when he goes out to commit a crime. He should pay the price.